California Historical Society Quarterly

COMMITTEE ON PUBLICATION

R. E. Cowan J. H. Nash H. R. Wagner

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CALIFORNIA HISTORICAL SOCIETY

Reorganized March 27, 1922

OFFICERS

C. Templeton Crocker, President
H. R. Wagner, First Vice-President
E. S. Heller, Second Vice-President
C. O. G. Miller, Third Vice-President
T. W. Hubbard, Secretary and Treasurer

BOARD OF DIRECTORS

Elected March 27, 1922

R. E. Cowan
C. Templeton Crocker
John S. Drum
E. S. Heller
Alfred Holman
T. W. Hubbard
Walter S. Martin
C. O. G. Miller
E. J. Molera
D. O. Troy
H. R. Wagner

BY-LAWS

Adopted April 7, 1922

ARTICLE I.

This Society shall be styled CALIFORNIA HISTORICAL SOCIETY. Its object shall be to collect, preserve and diffuse information relating to the history of California.

ARTICLE II.

This Society shall consist of patron, active, corresponding and honorary members.

1. Patron members shall consist of active members who shall pay at least One Hundred Dollars per annum as dues.

2. Active members shall consist of persons who shall have been elected to membership, and shall have paid their dues as hereinafter provided.

3. Corresponding members shall consist of persons not residing in California, who shall have been elected as such.

4. Honorary members shall consist of persons specially distinguished for their attainments in History, and who shall have been elected to honorary membership.

None but active members shall have a vote or have any interest in the property of the Society.

Upon the death, resignation or expulsion of a patron or active member, neither he nor his estate shall have any interest in the property of the Society.

ARTICLE III.

At each annual election there shall be elected a board of eleven directors, who shall serve for one year and until their successors are elected. Vacancies in the Board of Directors may be filled by the remaining directors as provided by law.

The directors shall choose the following officers, viz., a President, three Vice-Presidents, a Secretary and a Treasurer. The offices of Secretary and Treasurer may be combined in one person. The directors may in the exercise of their discretion create the offices of Recording Secretary and Corresponding

Secretary, in which case the Recording Secretary shall keep the records required by secretaries under the laws of California, and the Corresponding Secretary shall perform such duties as the directors may from time to time prescribe. The directors may also appoint a Librarian and such other assistants and employees as may be required, and fix their compensation. The Librarian shall perform such duties as the directors may from time to time impose.

Three active members not holding office shall be chosen by the Board of Directors at least thirty days prior to the annual meeting of the Society for the election of officers, and the persons so chosen shall constitute the Nominating Committee, which shall in writing report and nominate eleven members eligible for election as directors at least fifteen days before said election. The directors shall prepare ballots containing such names, which shall be sent by the Secretary to each of the members at least five days before the election, as prescribed by Article XIV.

ARTICLE IV.

The President, or, in his absence, one of the three Vice-Presidents, or, in the absence of the President and the Vice-Presidents, any member whom the Society may appoint, shall preside at the meetings of the Society. It shall be the duty of the President, or presiding officer, to preserve order, and to regulate the proceedings of the meetings.

ARTICLE V.

The Secretary shall perform the duties of a secretary as prescribed by the laws of California.

ARTICLE VI.

The Treasurer shall receive and deposit in such bank as may be designated by the directors, to the credit of the Society, all donations and bequests of money and all other sums belonging to the Society. He shall keep an account of all money received and paid by him, and at the annual meeting render a particular statement of the same to the Society.

ARTICLE VII.

Candidates for membership may be proposed and voted for at any meeting of the directors. The vote shall be by ballot, and a majority of the directors present shall be required for election. Persons so elected must qualify within thirty days from date of notification by payment of the prescribed dues.

ARTICLE VIII.

Each active member shall pay annual dues of Ten Dollars, due on the second Monday of January of each year, in advance. Each active member shall on his election pay into the treasury the sum of Ten Dollars, which shall be in lieu of the annual dues for the year of his election. Any failure on the part of a member to pay his dues within six months after the same shall have become payable may be considered by the Board of Directors as a resignation.

The directors shall have authority to invite membership, and upon the acceptance of such an invitation the person so accepting shall be deemed a member upon the payment of the dues herein provided.

ARTICLE IX.

The annual meeting of the Society shall be held on the fourth Friday of January in each year, at such place in San Francisco and time as the President shall designate, and at least three weeks' notice shall be given of such meeting. A special meeting may be called by the President, or, in his absence or disability, by one of the Vice-Presidents, or in the absence or disability of the President and the Vice-Presidents, by the Secretary on the written request of five active members; the object of such meeting shall be stated in the notice by which it is called; special meetings shall require five days' notice. The annual election shall be held at the annual meeting.

ARTICLE X.

Five directors shall constitute a quorum for the transaction of business, and twelve members shall constitute a quorum at any meeting of the Society.

ARTICLE XI.

No papers or manuscripts shall be published by the Society without the consent of the directors. Any motion to print an address or other paper read before the Society shall be referred to the Committee on Publication, which shall report to the directors. The Committee on Publication may make suggestions to the directors from time to time, with reference to the publication of such papers as in their judgment should be published; this committee shall have the care, direction and supervision of all publication. Members of the Society shall receive the publications of the Society free of charge.

ARTICLE XII.

It shall be the duty of the directors in case any member shall endanger the harmony, welfare, or good order of the Society, to call a special meeting of the Society; and if at such meeting, after an examination of the charges and hearing the accused, who shall have personal notice of such proceedings, it shall be proposed that the offending member shall be fined, suspended or expelled, a vote by ballot shall be taken, and if two-thirds of the members present shall vote in favor thereof, the offending member shall be fined, suspended or expelled as the case may be.

ARTICLE XIII.

Meetings of the Board of Directors shall be held upon the call of the President, or, in the absence or disability of the President, by one of the Vice-Presidents, or in the absence or disability of the President and the Vice-Presidents, by the Secretary upon the written request of any three directors. Notice of the time and place of such meeting shall be given by the Secretary, at least forty-eight hours before the holding of such meeting.

ARTICLE XIV.

The notices called for in Article IX and Article XII, or any other notice to the active members, shall be given by the Secretary by mailing the same in the United States mail, postage prepaid, in a sealed envelope addressed to each active member at the last known place of residence or business of such member.

The notices called for in Article XIII and Article XVI and any other notice to the directors shall be given by the Secretary by mailing the same in the United States mail, postage prepaid, in a sealed envelope addressed to each director at the last known place of residence or business of such director.

ARTICLE XV.

At the annual meeting to be held for the election of officers the following shall be the order of business:

1. Reading of the minutes of the last meeting.
2. Election of officers.
3. Reports and communications from the officers of the Society.
4. Reports of the directors and of committees.
5. Miscellaneous business.

ARTICLE XVI.

The By-Laws may be amended by the directors at any meeting of the Board of Directors provided that the object of such meeting shall be stated in the notice by which it is called and provided further that such amendment is assented to by at least six of the directors.

CALIFORNIA HISTORICAL SOCIETY 1852-1922.

When the California Historical Society was revived in 1886 for the second time, a statement was prepared which gave a short account of its previous appearances on earth, together with an account of the organization of a new California Historical Society in the spring of 1886.

It seems appropriate to furnish the members of the California Historical Society at its third reincarnation with a continuation, giving the history of the 1886-1893 period. The only source which we have for this is a scrap book kept by the late A. S. Hubbard, who was Secretary at the end of its active existence and continued as nominal Secretary until his death. We will preface this account by quoting what was written in Part I of the Papers of the California Historical Society about the first and second Societies.

"With respect to its social life, California, after its acquisition by the United States, became in a certain sense the heir of two civilizations. The desire of the immigrants of English stock to preserve the materials for the history of the Spanish antecedents of this Society was manifested, as early as 1852, in the formation of a California Historical Society. [Note] This Society was incorporated April 29, 1852, under the name of the 'Historical Society of the State of California.' The first Directors were: S. J. Field, J. B. Moore, H. W. Halleck, R. Greenhow, J. G. Marvin, Alex. S. Taylor, P. B. Reading, Pablo de la Guerra, Wm. J. Shaw."

Notwithstanding the fact that the writer of this article states that this Society was incorporated April 29, 1852, the office of the Corporation Commissioner in Sacramento informs us that no record of such incorporation is to be found, and we have lately made a search through the columns of the San Francisco Herald for the months of April to September, 1852, inclusive, without finding any trace of its existence or its activity, although we found references to the organization of the San Francisco Philharmonic Society, with the notorious Henry Meiggs as President, and of the Pacific Pioneer Yacht Club of San Diego, of which Major McKinstry was commodore or president. The California State Librarian also informs us that the Library has no records of the existence of this organization.

Nevertheless that some such organization did exist seems certain, as Mr. Doyle, the President of the second Society, must have been responsible for the statement, and he certainly knew the facts.

It seems that another effort along these lines was made about 1866, as we find in the San Francisco Directory of 1870, page 844, the following:

> "Ethno-Historical Society: Organized Aug. 23, 1866. Its workings to be divided into three sections, viz: Ethnology, History, Geography.
>
> Officers: John W. Dwinelle, President; Louis R. Lull, Recording and Corresponding Secretary; Joseph W. Winans, Treasurer; J. W. Dwinelle, John T. Doyle, H. H. Haight, J. W. Winans, and Louis R. Lull, Trustees."

We have no record of its activity or any other record of its existence.

The introduction continues: "This Association, however, left no important record save of the fact of its organization and incorporation. The knowledge of the efforts of individual citizens, particularly of Mr. Hubert H. Bancroft, in collecting and preserving the early records of the inhabitants of this region, has doubtless operated to make associated effort seem unnecessary. A private collection, however, although freely accessible to scholars, does not meet the demand which every civilized community ought to make for a complete and permanent record of its origin and history. It is subject to the vicissitudes of private fortune, and is always liable to be broken up and scattered through the market. The need of an association incorporated under the laws of the State for the collection and permanent preservation of the data of our history has been often pointed out, but perhaps never more clearly and forcibly than by Mr. John T. Doyle in an address delivered 'at the inauguration of the new hall of Santa Clara College,' August 9, 1870."

Mr. Doyle, who was interested in the litigation to secure the Pious Fund for the Catholic Church in California, had accumulated a large fund of knowledge and incidentally copies of many manuscripts concerning the early history of California, and seemed to feel that some organization should be effected for collecting and preserving this early material. We quote his own words:

"It is for the reasons mentioned that so many of the relations of early discovery in America, are from the pens of ecclesiastics; that numerous facts and evidences which the archives of the civil government fail to supply, and which would otherwise have perished, have been brought to light from the libraries of the convents and colleges of Spain and Mexico, and that points of early colonial history, long in doubt, have been set at rest by the authentic narratives and reports of the early missionaries, made to the religious houses of which they were members. A great mass of these, of unknown, but undoubted richness, yet remains in manuscripts, hid away in dusty crypts and chambers of the religious houses now fast going to decay. They throw light not only on our early history, but on that of all the vast part of America which once acknowledged the domain of Spain. These materials of history are perishing day by day; once gone they can never be replaced. It seems to me that the present occasion, which brings together a large assemblage of intelligent and cultivated people to this place, so intimately associated with the history of the past and the hopes of the future, is a proper one to suggest an effort toward the recovery and preservation of these precious materials.

"There are many gentlemen in the State who have already devoted some attention to this subject, and whose studies and efforts have not been without valuable results. But we want organized and co-operative effort, and as no nucleus of such an organization can be more appropriate or afford greater advantages for the purpose than this college, founded on the site, and succeeding to the history of the ancient mission of Santa Clara, I take the liberty to suggest to the Reverend faculty the organization of such a body—a California or Pacific Historical Society, whose object it shall be to collect, preserve, and from time to time make public the interesting records of our early colonial history. It would gather about it all persons of the State whose tastes lead to such inquiries, and concentrate all their information into one focus; it would possess peculiar advantages of obtaining from abroad valuable materials for that history, and founded under such auspices would possess a prestige which would guarantee permanence, stability, and success—

'Possunt qui posse videntur.'

"There is a peculiar appropriateness in this, too, from the fact that the earliest colonists of California, the first mission-

aries who succeeded in effecting a lodgment on the peninsula, were the Jesuit Fathers. Towards the close of the seventeenth century, they were engaged in the effort to reduce all the west coast of America to Christianity, and became the earliest explorers of Sonora, Sinaloa, Arizona, New Mexico and Lower California; their labors in this vast field of missionary enterprise and geographical research are but imperfectly known; the records of them remain in manuscript, but enough has been made public to show the value of the rest, and I trust yet to see the whole of them brought to light through the instrumentality of such an organization as I have suggested."

The result of Mr. Doyle's address was the formation of an association, which it is stated was duly incorporated under the name of the California Historical Society. However, it is to be said that there is no more record in the Corporation Commissioner's office of the existence of this Society than there is of the one said to have been incorporated in 1852. The probabilities are that in both cases they simply effected organization and did not actually proceed to incorporate. Very little is known about this Society. A notice of it appears in the San Francisco Directory of 1872, page 907:

"California Historical Society:—Incorporated July 14, 1870. Number of members, twenty-five (25). Annual meeting at College of Santa Clara on day of commencement.

"Objects:—Cultivation of the history, antiquities and ethnology of the west coast of America, and the publication of early relations and documents connected therewith.

"Office:—323 California St.

"Officers:—Rev. A. Varsi, John W. Dwinelle, Charles H. S. Sawyer, Tiburcio Parrott, and John T. Doyle, Trustees. Ralph C. Harrison, Secretary."

The Society succeeded in producing two important works. The "Noticias de la Nueva California" of Father Palou, was printed in four volumes by Edward Bosqui at the expense of Mr. Joseph A. Donohoe. One hundred copies were printed, and we understand that most of them were ultimately disposed of by Mr. Donohoe with his compliments. The second publication was the "Reglamento para el Gobierno de la Provincia de Californias," printed from a copy in the archives in the office of the United States Surveyor-General. This seems to have

been a joint production, and one hundred and fifty copies were printed. At the time of the formation of the third Society in 1886, most of these were still on hand and were turned over to the new Society, and we understand were accidentally destroyed by fire. It is a melancholy fact that this reprint is in consequence almost as rare as the original, very few copies ever having been distributed.

It is apparent that the existence of the Society was almost unknown, and at any rate, if it had been known it was considered as defunct, as in 1883 a suggestion was made by Dr. George Mooar in an article on "Family and Local History" read before the Berkeley Club, November 22, that a California Historical Society should be formed. The Club appointed a committee to consider the feasibility of organizing such a society, but nothing further came of this suggestion of Dr. Mooar.

The real factor in the organization of the third Society was Edward S. Holden, who came to the University at the end of 1885, as President. He knew nothing about the preceding efforts of 1852 and 1870, but with some others formed a new association under the same name. However, they soon found that Mr. Doyle and Mr. Jarboe had been interested in a preceding Society and forces were joined and a Society organized and duly incorporated. The certificate of incorporation bears the date of March 6, 1886. At the first election Mr Horace Davis was elected President and Prof. Bernard Moses, Secretary. The other Directors were Messrs. Joseph A. Donohoe, John T. Doyle, John R. Jarboe, Ralph C. Harrison, and Father Varsi, who had been members of the second Society, and Messrs. Edward S. Holden, J. DeBarth Shorb, William Norris and William Ashburner. Mr. Joseph A. Donohoe was Treasurer, and Messrs. Holden, Shorb and Ashburner, Vice-Presidents. Part of this year Prof. Irving Stringham served as Secretary pro tem during the absence of Prof. Moses. Meetings were held in May, June, September, November and December, 1886, and January, 1887. The following papers were read:

May meeting: "Data of Mexican and United States History." By Prof. Bernard Moses.

June meeting: "Methods of Historical Research." By Mr. Fred B. Perkins.

September meeting: "The Employment of Indians in the Revolutionary War." By Mr. Andrew McFarland Davis.

November meeting: "The Identification of the Landfalls of the Early Spanish Navigators on the Coast of California, 1539-1603." By Prof. George Davidson.

December meeting: "The Local Units of History." By Prof. Martin Kellogg.

January meeting: "Brief History of the 'Pious Fund' of California." By Mr. John T. Doyle.

The by-laws provided that the annual meetings be held on the third Tuesday in February. Therefore the first annual meeting took place February 15, 1887. Mr. Davis had previously resigned as President, and a new election was held at which all the former officers were re-elected except that Mr. John T. Doyle was elected President. The Treasurer presented a statement showing that he had $478.20 on hand, and the Printing Committee stated that a contract had been entered into for the publication of the proceedings. During the ensuing year, 1887, the following papers were read, meetings having occurred monthly except in June and July:

"The First Phase of the Conquest of California," by Prof. William Carey Jones, February 15.

"Early Overland Travelers and Explorers: Who was the First?" by Albert J. LeBreton, March 15. [We assume this paper was read because a notice was sent out calling a meeting, but we have seen no actual account of the meeting.]

"The Development and Early Realization of the College Idea in California," by Dr. S. H. Willey, April 19.

"A Chapter in the Early Governmental History of San Francisco," by Prof. Bernard Moses, May 17; and at the same meeting a very interesting letter was read from General W. T. Sherman in acknowledgment of his election as an honorary member.

"Contemporary History: a Revision of Retrospects," by Mr. F. B. Perkins, August 16.

"A Sketch of the Early History of Santa Clara College," by Rev. A. Varsi, October 18.

"On the Establishment of the Boundaries of the Pueblo of San Francisco," by Dr. E. R. Taylor, November 15.

We have found no record of the meetings of September, December or January.

During this year there was quite an animated discussion at the meeting of October 18, in regard to a proposed action about intervening in the selection of the bronze statuary under the Lick bequest. According to the newspaper accounts of the meeting it was a rather warm affair, and finally a special meeting was called for November 1, to consider the matter. At this latter meeting the excitement had evidently died out or else it was rainy, because there was no quorum present, and the few that did appear decided that it was best not to mix up in the affair.

February 21, 1888, the second annual meeting was held. At this meeting Mr. John T. Doyle was re-elected President, Mr. Joseph A. Donohoe, Treasurer, and Prof. William Carey Jones became Secretary. Messrs. Jarboe, Norris and Father Varsi appear as Vice-Presidents, and Judge J. V. Coffey as Treasurer. At this time the Society had about two hundred members, had a balance on hand of $601.15, and Volume I of the Papers had already been published. The Society was very inactive in 1888, at least we only find records of meetings in February, March, April, June and November. At the annual meeting in February, Mr. Theodore H. Hittell read his paper, "Introductory Chapter to Papers on William Walker, the Filibuster," which he was supposed to have read in January, which induces us to believe that there was no meeting in January. The following papers were read during the year:

"Prehistoric California," by Dr. Lorenzo G. Yates, March 20.

"Early Trapping Parties in California," by Hon. J. J. Warner, April 17.

"Governor Chamberlain's Administration in South Carolina," by Prof. William Carey Jones, June 12.

"The South Revisited," by Prof. Joseph LeConte, November 13.

The next notice of a meeting which we find is that of the annual meeting, February 12, 1889, at which time Mr. S. E. Moffett read a paper on "American Relations with Samoa." At

this time the Society had $318.80 in the treasury, had debts of $178.98, and dues that were delinquent to the amount of $500.00.

March 12, Prof. George Davidson read his famous paper on the "Identification of the Anchorage of Sir Francis Drake on the Coast of California," but we find no other notice of a meeting until December 12.

The annual meeting was scheduled for February 11, 1890, but was not held then, probably for lack of a quorum, as a special meeting was held on February 22, at which Mr. John R. Jarboe was elected President, Prof. George Davidson, Mr. William Norris and Father Varsi, Vice-Presidents; Mr. Joseph A. Donohoe, Treasurer, and Col. A. S. Hubbard as Secretary. Judge Coffey, Dr. E. R. Taylor, Prof. Moses and Messrs. Horace Davis and Ralph C. Harrison were the other Directors.

Papers were read during the year as follows:

"Some Traces of the Early History of Astronomy," by Prof. W. T. Welcker, March 11.

"Recollections of Early Theatricals in San Francisco," by Mr. John Quincy Adams, a Stevenson volunteer, April 8.

"The Sioux Campaign of 1876," by Capt. Charles A. Woodruff, May 13.

June 10, Dr. George L. Fitch was scheduled to read "Hawaiian Volcanoes," but there is no record of the meeting.

"An Argonaut's Reminiscences of a Voyage to the Pacific Coast in 1849," by Mr. James E. Gordon, September 16.

At the October meeting Judge F. W. Van Reynegom was to have read a paper on "Early Days in San Rafael," but on account of the small attendance, the meeting was postponed to November 9. At this time the Judge's address was interupted by a noisy political meeting outside, so the meeting had to be adjourned.

November 11, the Hon. John M. Burnett read a paper on the "Early History of the Pueblo de San Jose."

December 9, the Hon. Robert A. Thompson read "The Two Journies of Jedediah S. Smith to California."

At the January meeting Mr. Edward English Cheever enter-

tained the members with "A Voyage from Boston, Through the Straits of Magellan, to San Francisco, in 1849."

The annual meeting was to have taken place February 10, 1891, but on account of the small number present, it was postponed to March 10. At this meeting Mr. Jarboe was re-elected President, Mr. Donohoe, Treasurer, and Col. A. S. Hubbard, Secretary. The Directors, including the Vice-Presidents, were Judge Coffey, Prof. Davidson, Hon. Horace Davis, Father Varsi, and Messrs. R. C. Harrison, William Norris, E. R. Taylor and Bernard Moses, besides the officers. The Treasurer's report showed that there were $440.57 on hand and $525.00 unpaid dues. The report stated that the expenses for the year had been $513.95, and that for five years $696.35 had been expended on publications. There were about 160 members. At this meeting, A. W. Bishop, Postmaster of Oakland, was to have read an article on the "Mission of San Jose," but not being present, Dr. Davidson read a paper on the "Discovery of Humboldt Bay."

Apparently there was no meeting in April, but May 12, Mr. Theodore H. Hittell read his address on "The Life of George Bancroft."

September 8, Mr. Charles James King entertained the Society by reading a number of the letters of his father, James King of William, to his family in the East, 1848-1851.

During the late spring or summer the Society had obtained quarters for the first time in the California Academy of Sciences, 819 Market Street, almost all the preceding meetings having been held in Parlor A in the Palace Hotel.

At the November meeting, Prof. William Carey Jones read the "Journal of a U. S. Soldier to California in 1846-47." The soldier was Judge Walter Murray of San Luis Obispo, who came out with Stevenson's regiment.

At the January 1892 meeting Mr. Bishop read his postponed article on the "Mission of San Jose."

The annual meeting was held February 8, 1892. The Secretary reported receipts for the year, $1032.50, disbursements, $480.50, leaving a balance of $552.00, and stated that the Society had 120 members. At the meeting a paper written by Mr. Charles H. Shinn on "Early California Schools" was read.

Apparently there was no quorum at this meeting for the election of officers, so an adjourned meeting was provided for May 10, but there is no record of what happened at this meeting, beyond the fact that Mr. John Vance Cheney read a paper on Walt Whitman. There is no record of an election of officers this year, probably those in office simply continued.

The next notice is that of the annual meeting of February 14, 1893, and at this meeting Judge James V. Coffey was elected President; Directors: Judge John R. Jarboe, Messrs. Horace Davis, William Norris, James A. Donohoe, Prof. Martin Kellogg, Hon. John Reynolds of San Jose, Hon. N. W. Blanchard of Santa Paula, Hon. J. M. Corcoran of Mariposa, Hon A. P. Catlin of Sacramento; and Col. Hubbard as Secretary. It is probable that the meeting was not held on February 14, but on February 22, as there is a notice of an adjourned meeting on that date. This notice refers to the resignation of the President, from which it seems evident that Judge Jarboe had resigned. This is the last notice of any meeting of the Society to be found in Colonel Hubbard's scrap book, and it seems probable that there has never been an election since 1893.

From the last combined statement of the Treasurer and Secretary, presented at the annual meeting, February 10, 1891, we gather some interesting figures, as this included a resumé of the operations of the Society from the start. From this it seems that the total receipts of the Society for the five years up to that date had been $2871.15, out of which had been appropriated for printing Parts I, II, and III, $1696.35, leaving a balance of $1174.80 for the current expenses. As the Society had on hand in cash the day of the report, $440.57, it appears that the total operating expenses for the five years had been less than $700.00, exclusive of printing the collections. Thirty-two papers had been read at forty-two regular and special meetings.

In 1903 an effort was made to revive the Society. This idea seems to have been suggested by the meeting in San Francisco of the American Historical Association, and the persons most interested in the movement were some of the active members of that Association. A meeting was held at the University Club on February 23, 1903, at which were present Professors Davidson, Morse Stephens and Max Farrand, Rev. W. A. Brewer, Judge Coffey, Messrs. Robert A. Thomp-

son, Horace Davis, and Col. Hubbard. It was decided to get out a circular calling the attention of the public to the advisability of reviving the Society, and early in March the circular appeared. Appended was a list of signatures headed by those of Benjamin Ide Wheeler, President of the University of California, and David Starr Jordan, President of Stanford University. One substantial suggestion was made, namely, to reduce the dues from five dollars per year to three dollars per year; but this did not seem sufficient inducement to secure any sufficient support to proceed with the organization, as certainly nothing came of this movement.

For the last few years many laments have been heard over the fate of the preceding Society, and over the fact that the state was not able to support one, but no one seemed willing to make any effort to get the Society on its feet again until recently. In January of this year several seemed to become suddenly interested in the idea, and at a luncheon at the Pacific-Union Club on February 13, given by Mr. C. Templeton Crocker, it was decided to proceed with the work, provided sufficient funds could be secured to guarantee the operations. At this luncheon there were present besides Mr. Crocker, Mr. Alfred Holman, Mr. John S. Drum, Dr. J. W. Robertson, Mr. C. O. G. Miller, Mr. Thomas Barbour, Mr. H. R. Wagner and Mr. Samuel Knight. At a subsequent meeting Mr. E. S. Heller and Mr. Wagner were appointed a committee of two to proceed with the actual work of reorganization, and in the meantime an active campaign was undertaken for the purpose of securing a guarantee of sufficient funds.

As the old Society still maintained a nominal existence, with Mr. T. W. Hubbard as Secretary, it was considered advisable by the committee on organization to revive this, rather than attempt the formation of an entirely new one. A sufficient number of members of the old Society were found to make a formal request for a meeting, which was held on March 16. At this meeting some forty-two new members were elected, and the meeting then adjourned until March 27.

On this day the adjourned meeting was held as a luncheon at Marquard's restaurant, and a board of eleven directors was elected to serve until the next annual election in January, 1923. Some twenty-five members were present, and much enthusiasm was displayed at the prospect of getting the Society on its feet again.

April 3 a meeting of the Directors was held, officers were chosen and a Publication Committee appointed. Amendments to the By-Laws were proposed, and these were finally practically entirely rewritten, and the new ones were adopted by the Board, April 7. Authority was given to obtain suitable quarters, which have been obtained in the Wells Fargo Building at Second and Mission streets, Room 508.

May 5 a meeting of the Society was held at the Palace Hotel, at which a luncheon was served. Following this a paper was read on "The Discovery of California," by Mr. H. R. Wagner, and this was followed by a general discussion, largely directed to obtaining the views of the members as to the immediate policy to be pursued. Unanimous sentiment prevailed that the Society should begin, as early as possible, the publication of a serial, to be known as the California Historical Society Quarterly.

PUBLICATIONS

First Epoch:

The first Society published nothing, or at least nothing has survived.

Second Epoch:

Noticias De La Nueva California, Escritas Por El Rev. Padre Francisco Palou. Tomo I. [California Historical Society's Publications.]

San Francisco. Imprenta De Eduoardo Bosqui Y Cia. 1874.

Four volumes, 8°.

Vol. I. xx, 270 pages. Views of the City of San Diego, 1873; Mission of San Diego, 1873; Commercial Bank San Diego, 1873; Olive Orchard and Palms at the Mission of San Diego.

Vol. II. 301 pages. Views of Mission of San Buenaventura; Horton's Bank, San Diego, 1873; The Harbor of San Diego, 1873; Court House, San Diego, 1873; and a Garden in San Diego, in February.

Vol III. 315 pages. Views of the Mission of San Louis Rey, 1842; Ground Plan of the Mission of San Louis Rey; Mission of Santa Clara, 1849; Mission of Santa Barbara—the Corridor; College of Santa Clara.

Vol. IV. 253 pages. Views of the Custom House, San Francisco, 1846; Mission of Santa Barbara; Ruins of the Mission of San Carlos; Ruins of the Mission of San Carlos [another view, from the front.]

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Reglamento Para El Gobierno De La Provincia De Californias. Aprobado por S. M. en Real Orden de 24. de Octubre de 1781. [California Historical Society's publication.]

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Third Epoch:

Papers of The California Historical Society. Vol. I. Part I. San Francisco: California Historical Society. 1887.

A list of the officers and active members xv, Introductory [xvi]-xxxii, 94 pages of text.

This number contains the following separate articles:

The Local Units of History. By Martin Kellogg.

Data of Mexican and United States History. By Bernard Moses.

History of The Pious Fund of California. By John T. Doyle.

The First Phase of The Conquest of California. By William Carey Jones.

Papers of The California Historical Society. Vol I. Part II. History of The College of California. By Samuel H. Willey, D. D. San Francisco. California Historical Society. 1887. 440 pages, comprised entirely of Dr. Willey's article.

Identification of Sir Francis Drake's Anchorage on The Coast of California in the Year 1579. By Prof. George Davidson, Ph.D. Sc.D. United States Coast and Geodetic Survey.

California Historical Society Publication. [Part III.] Read before the Society, March 12, 1889.

San Francisco, Bacon & Company, Printers, 1890. 58 pages, 15 maps.

George Bancroft and His Services to California. Memorial Address, Delivered May 12, 1891, Before The California Historical Society, by Theodore H. Hittell. [Part IV.]

Published by The California Historical Society, San Francisco. 1893. 20 pages.

MISSION, PRESIDIO AND PUEBLO

Notes on California Local Institutions Under Spain and Mexico.

The irresistible appeal of heroism, adventure and romance has long focused popular attention on two sharply contrasted periods of California History—on the growth and glory of the Spanish Missions; on the virile days of '49. Between the two lies the story of Mexican California, when democratic ideals attracted the imagination of an emancipated but untrained people, while their ineptitude for self government, and their passion for political intrigue frustrated all their efforts for national advancement.

The documentary material on the pre-American régime must be sought in the official archives of California, Spain and Mexico, and historians are working diligently in all these fields. Although the San Francisco fire of 1906 destroyed many original sources, their loss can partly be made good by the copies and abstracts in the Bancroft Library at the University of California; county archives, also, still contain some pre-American records. All this material is being used again and again, as different students analyze and reassemble it according to their special themes. Bancroft, first of all, presented it with extreme minuteness in the footnotes to his History of California, and his references will always serve as an invaluable key to the original documents.

Many lines of research attract the student of this period. One, of great importance, is the development of everyday civic life and organization among the people of California during the stormy years of Spanish and Mexican administration. The topic is considered by Bancroft in various sections of his exhaustive history, and it has attention in F. W. Blackmar's Spanish Institutions of the Southwest, and J. B. Richman's California Under Spain and Mexico. An excellent discussion of certain aspects can be found in a doctoral dissertation, From Alcalde to Mayor, by James R. Robertson, now professor of history at Berea College. This thesis, presented to the University of California in 1908 is, unfortunately, still in manuscript.

But with all that has been written on the formative years, no one has yet told a straightforward, definite story of the

genesis of the towns, and the processes of civil growth. The sketch that follows seeks to indicate what can be constructed from material that has already been the fruit of research in the archives of the Spanish and Mexican periods.

From whatever angle one approaches the beginnings of California, the white walled Missions dominate the picture. In that long line of establishments, from San Diego to Sonoma, there was everywhere a definite, organized community life, authoritative and patriarchal, single minded in its ecclesiastical ideals, productive of industry and material prosperity. This life was based and developed on the theory that in two generations, at longest, the Christianized Indians would acquire the simpler arts of civilization, and a practical capacity for community life. When that time should come, civic self government should supersede ecclesiastic tutelage.

Supporting the Missions were the four presidios, San Diego, Santa Barbara, Monterey and San Francisco. They were distinct in their official life and under military control while military control should be needed, although, like the Missions, they were destined to future reorganization upon a civic status. If the Indian neophytes of the Missions provided unpromising material for independent citizenship, the riff-raff soldiers of the presidios were but a few degrees better. The officers, of gentler blood, formed a more aristocratic circle, and held themselves superior to priest as well as to common soldier.

The strategic positions occupied by the presidios were not well fitted for agricultural development, and separate farming communities were required to supply provisions. The establishment of these centers illustrates one of the marked differences between the advance of the Spanish and American frontiers. The pioneer settlement of the Americans was haphazard, chosen by necessity, or in accordance with the preference of individual frontiersmen. The Spanish settlement was a deliberate creation by authorities who estimated the needs of the public service, surveyed available situations, and disposed their civil groups with the same foresight that had dictated the location of the military posts.

In accordance with this careful system the pueblo of San José was founded November 29, 1777.[1] It was a civil community from the very first, but the exact status of early

[1] H. H. Bancroft, History of California, I, 312.

pueblos was not defined until a new and important reglamento on the government of California was drawn up by Governor Neve on the first of June, 1779.[2] The second pueblo, Los Angeles, was founded in September, 1781.[3] The third civil settlement was Branciforte, founded July, 1797. This was technically called a villa, and its organization differed somewhat from the two pueblos, as it was designed to serve as a point for coast defence as well as industrial colonization.[4] Robertson says that it followed the "Plan of Pitic," devised for certain outposts in Mexico, where Indian hostilities demanded military preparedness. In spite of brilliant hopes for its future, Branciforte soon became a neglected, disorderly and ill reputed town.

The Spanish pueblo was a very definite, well developed civic unit.[5] Even in the formative days of California it was laid out on a standardized plan, with its plaza and official center, its surrounding house lots, or solares, and its outer ejidos, or commons. The actual farms, suertes, were assigned from the land best fitted for agriculture, and beyond them the dehesas, pasture and timber, stretched to the municipal boundaries. Four square leagues of land was the customary extent of a California pueblo, and a certain portion of that was retained in public ownership for purposes of revenue, and for the needs of later settlers. The exact definition of these public lands, and the laws regulating their disposition became matters of the utmost importance in their bearing on land titles at a later period, and the carelessness with which boundaries were originally marked gave rise to much confusion and litigation.

As a body politic the normal Spanish pueblo had ample privileges of self government, and elected its own chief magistrates and town council. In large towns the ayuntamiento (council) might have as many as ten regidores (councilmen), and a sindico, or attorney. The chief magistrates were the alcaldes, one or two in number, according to the size of the town. The alcaldes were members of the council; the first or

2 Bancroft, California, I, 333-338; J. W. Dwinelle, Colonial History of San Francisco, Addenda IV, 3-8.
3 Bancroft, California, I, 344.
4 Bancroft, California, I, 564-571; J. R. Robertson, From Alcalde to Mayor, 19
5 Pueblo organization and administration are discussed by Richman and Blackmar. Dwinelle defines many terms, Colonial History, 7-12. The treatment is especially good in Robertson's thesis, From Alcalde to Mayor.

superior alcalde presided at the meetings, was the responsible executive of the municipality, and exercised judicial functions of great importance.

Neve's regulations for the early California pueblos provided that they should be furnished with ordinary alcaldes and other municipal officers, in proportion to the number of inhabitants, but that officials should at first be appointed by the governor. Local records show that in due time the towns elected alcaldes and two regidores, but throughout the Spanish period the governor actually continued his direct control by appointing special comisionados, with superior authority to that of the representatives of the people.

During this era the three villages struggled through trying times. The colonists, for all their carefully organized system, lacked the spirit that made the American pioneer a founder of community life within the wilderness. They worked without enthusiasm at their agricultural tasks and they often incurred official reprimands for disorder and dissipation. The story can be followed, in interesting detail, through the footnotes to Bancroft's annals of San José, Los Angeles and Branciforte, in the first and second volumes of his History of California.

Mexico began life as an independent nation in 1821. In April, 1822, the officials of California declared their adherence to the new government. It was important to send at once a deputy to the Mexican Congress, and the first general election in California was held within a few weeks. Five electoral districts were designated, one for Los Angeles, and four for the presidios and the communities within their several jurisdictions. San Francisco included four missions, the pueblo of San José and the villa of Branciforte: Monterey embraced six missions, Santa Barbara five, San Diego four. From the records accessible to Bancroft, he gathered that within each electoral district separate elections were held at presidios, pueblos, and Missions (the Mission Indians participating), and that the men thus chosen met at the chief town of the district and selected one elector for the provincial gathering. The final meeting was held at Monterey, May 21, when the congressional deputy was elected.[6]

In September a special comisionado arrived from Mexico to guide the people in developing the new constitutional meth-

[6] Bancroft, California, II, 454.

ods of government.[7] He interested himself especially in the establishment of a departmental legislature, and in fostering self government in the local communities.

Even prior to the independence of Mexico California had been entitled to a legislative assembly by the Spanish constitution of 1812. None had been organized, but now it was decided to create a diputacion without further delay. The five electors who had represented the local districts in choosing a congressional deputy were again summoned to Monterey, and on November 9 they organized the first legislature of California. Some changes of personnel were made at once, and a sixth member added to the house. Subsequent years brought modifications of title, membership and parliamentary regulations, but under one aspect or another the successors of this body functioned until the conquest of California by the forces of the United States.

The self governing prerogatives of the pueblos were distinctly strengthened by the new régime. The ayuntamientos of San José and Los Angeles, hitherto deficient in their quota of members, were increased by the addition of a sindico and a secretary, and established on a more effective basis. At the same time the comisionados were removed, and the local magistrates freed from their supervision.[8] As for Branciforte, the population was so small that the town was provided with a sub alcalde, and attached to the civil jurisdiction of San José.[9]

Two other steps of the utmost importance were presently taken. One was the transformation of the military presidios into civil pueblos—the other was the secularization of the Missions. Both courses were adopted with the avowed intention of furthering the growth of institutional self government.

The change in the statuus of the presidios was gradually accomplished. Robertson says that in spite of the ill success of Branciforte, the same model of organization was followed in the presidial pueblos. In the process of transformation there were some mixtures of military and civil authority, and some passages of jealousy and friction, but by 1835 civil control was everywhere established, sometimes with a compromise by which

7 Bancroft, California, II, 455-463.
8 Bancroft, California, II, 462. In Los Angeles a comisionado still exercised certain functions even after this date (ibid, 559-561).
9 Bancroft, California, II, 626.

the military commander was elected alcalde, or left with jurisdiction over the soldier part of the population.[10]

At the presidio of Santa Barbara the first ayuntamiento was elected in 1826, although civil status was doubtful until legislative action of the diputacion in 1834.[11] Monterey elected a full ayuntamiento in 1827.[12] the first ayuntamiento in San Diego was installed in 1835.[13]

The establishment of municipal government in San Francisco is a subject that involves discussion of the entire system of Spanish municipal organization. It is much too technical for detailed treatment in this article. Civil organization is held to have commenced with an election in December, 1834, when the governor ordered the residents of the "county of San Francisco," with those of Contra Costa, Sonoma and San Rafael, to elect an ayuntamiento, which should reside at the presidio of San Francisco, and exercise the constitutional political functions of such a body.[14] The alcalde was entrusted with customary judicial authority, and the commandant of the presidio was restricted to actual military responsibilities.

This council was quickly superseded, for a census disclosed that the "population of San Francisco de Asis" warranted an ayuntamiento for the town proper, and one was presently elected. The second body had jurisdiction over the same outlying population, and Dwinelle calls it a "composite ayuntamiento," i. e.: the ayuntamiento of a pueblo to which were joined other small populations. He distinguishes the first as an "aggregate ayuntamiento," composed of several populations, each too small to have a council of its own.[15] The exact pueblo status of San Francisco became a celebrated point of controversy at a later date, when the Land Commission considered the claim of the city to four square leagues of pueblo land.

After the change to civil status all the presidios declined in military equipment, and finally lapsed into a pitiable condition of ruin and neglect.

Secularization of the Missions, long anticipated, was made

10 Robertson, From Alcalde to Mayor, 19-20.
11 Bancroft, California, II, 572; III, 655.
12 Bancroft, California, II, 611.
13 Bancroft, California, III, 615.
14 Bernard Moses, Establishment of Municipal Government in San Francisco, 18.
15 Dwinelle, Colonial History, 48, 49, Addenda XXIII, p. 37.

mandatory by a decree of the Mexican Congress of 1833. The result was a tragedy from every point of view. Any policy based on the ideal of self government among the Mission Indians was foredoomed to failure, and although Governor Figueroa, who was charged with carrying out the decree, made conscientious efforts to build up regular pueblo institutions on the Mission foundations, final results showed the futility of such an undertaking. Some community groups were established, with more or less of the functions of pueblo government, but their records are unsatisfactory and confused. With the final sale of Mission lands, their former sites became private ranches, and several Indian pueblos ceased to have independent existence.

The net result of municipal organization in the pre-American period can be gathered from the brief list of communities entitled to representation in the last legislative assembly, elected October, 1845.[16] These were the original pueblos of Los Angeles and San José, the villa of Branciforte, presidial pueblos of San Diego, Santa Barbara, Monterey and San Francisco, and, in addition, Sonoma, San Juan Bautista, San Juan Capistrano and San Luis Obispo. The four last mentioned were outgrowths of the old Mission establishments. When the status of early pueblos was reviewed during the sessions of the United States Land Commission, the pueblo standing of Sonoma was recognized, and that of San Luis Obispo was rejected. No claims were presented that involved the status of other Mission pueblos, nor of Branciforte, and the pueblos formally recognized by the Commission were Sonoma, San Francisco, San José, Monterey, Santa Barbara, Los Angeles and San Diego.[17]

Having in mind this brief outline of the beginnings of the different pueblos, it will be of further interest to trace the internal administration of municipal affairs. It is usually said that within the pueblos of California the alcaldes were the dominating and arbitrary authorities, but, strange to say, a strict interpretation of institutional history shows that in California the importance of the alcalde fell far below the popular imagination.

We have seen that during the Spanish period the alcaldes

16 Bancroft, California, IV, 539-540; Archives of California, Legislative Record, IV, 89-91; MS in the Bancroft Library.
17 Bancroft, California, VI, 566-569.

of the three civil communities were obliged to yield precedence to the comisionados appointed by the governor.

After the separation from Spain there came fifteen years when institutional government was fostered: old ayuntamientos were strengthened, new councils were established in the former presidios and in some of the secularized Missions, and alcaldes, in general, were allowed their constitutional privileges.

But during this time Mexico was not finding her experiment in federal organization altogether satisfactory. A strong reaction towards centralization set in, and in 1836 and 1837 laws were enacted that seriously curtailed the self governing privileges of small communities. These were no longer permitted to elect their magistrates, the ayuntamientos were abolished, and municipal authority was vested in a justice of the peace who was appointed by the prefect of the district, and directly responsible to the local sub-prefect. Elected officers were allowed only in the capital of a department, ports with a population of four thousand, interior towns of eight thousand, and towns which had ayuntamientos previous to 1808.

The effect of the laws of 1837 was to deprive California towns of alcaldes and ayuntamientos, and place them under a centralized prefecture system. Two districts were created by the junta (legislative assembly), and the line of division placed at San Luis Obispo.[18] Each district had a head town, and was under the authority of a prefect appointed by the governor, and approved by the superior government. The districts were again subdivided into partidos which were under the charge of sub-prefects appointed by the prefects. The sub-prefects nominated justices of the peace for the towns of their partidos, and appointment was made by the prefect of the district. The justices, "under subjection to the sub-prefect," exercised certain "faculties and obligations" that pertained to the alcaldes and ayuntamientos of larger towns.[19] Governor Alvarado said in a message of February 16, 1840,[20] "There is no Ayuntamiento whatever in the Department, for there being no competent number of inhabitants in any of the towns (pueblos) as provided by the Constitution, those then existing had to be dis-

[18] Bancroft, California, III, 585.
[19] See Digest of the Laws of 1837, in J. Ross Browne, Report of the Debates.... on the Formation of a State Constitution, Appendix, pp. xxxi-xxxiv.
[20] Dwinelle, Colonial History, Addenda, L, p. 70.

solved; and only in the Capital there ought to be one of such bodies." Monterey, then, was entitled to elect the constitutional representative magistrates, but the records indicate that no advantage was taken of the privilege; the ayuntamiento, like those of other towns, was discontinued, and affairs placed in the hands of a juez de paz.[21]

The prefecture system was temporarily abolished in 1844. Santa Anna was then in control of national affairs, and had promulgated the "Bases of Tacubaya", a new scheme of political organization.[22] This change gave the governor of California an increase in power,[23] and the incumbent, Manuel Micheltorena, ordered that in December, 1843, ayuntamientos should again be elected in Monterey and Los Angeles, and first and second alcaldes should be elected in San Diego, Santa Barbara, San Juan, Branciforte, San José, San Francisco and Sonoma.[24] The new system went into effect on the first of January, 1844, and continued until July, 1845. In the meantime Santa Anna fell from power, Micheltorena was displaced by a new governor, the organization of 1837 was reaffirmed by the legislative assembly, and the prefecture system restored.[25]

In this readjustment the First District, Los Angeles, had the partidos Los Angeles, Santa Barbara and San Diego: the Second District, Monterey, was divided into the partidos of Monterey and Yerba Buena. Monterey, alone, was given a prefect: other partidos had sub-prefects. The municipal organization granted by Micheltorena to Los Angeles and Monterey was, however, confirmed, and the two towns retained the full pueblo equipment of ayuntamiento and alcaldes. Justices of the peace were to have charge in other communities, and in each partido (other than Monterey and Los Angeles), there was to be a municipal junta (assembly), consisting of the justices of the peace and two citizens, presided over by the sub-prefect. The local records of the smaller communities are so incomplete that it would be exceedingly difficult to evolve a distinctive study of the work of the juez de paz. Broadly speaking, his duties corresponded to those of an alcalde. In some respects

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21 Bancroft, California, III, 676. "Local Annals," as analyzed for this decade, show the universal adoption of the prefecture system.
22 T. H. Hittell, History of California, II, 325.
23 Hittell, California, II, 334.
24 Dwinelle, Colonial History, Addenda LVII, p. 85.
25 Bancroft, California, IV, 532-533.

he had greater initiative, because there was no ayuntamiento to decide on local regulations. On the whole, the direct supervision of the sub-prefect made the justice distinctly subordinate to the higher authorities. This system remained practically unchanged for another twelve months, and was, therefore, in force at the date of the American occupation, July 7, 1846.

For these two years and a half full pueblo organization directed the local affairs of Los Angeles and Monterey. The characteristic functions and privileges of alcaldes and ayuntamientos can legitimately be portrayed against the background of these two municipalities, but they cannot be transferred to any other town in California, and to designate the local administration of the period as the "alcalde system" is a grave misnomer. It was a centralized "prefecture system", with local autonomy only in the two most important communities.

This is to speak according to the letter of the law. In actual practice it appears that the people clung tenaciously to the time honored title of "alcalde," and justices were often addressed after that fashion.[25] The testimony of old residents, as given in the case of The United States vs. José Limantour, shows that in the jurisdiction of San Francisco, at least, the citizens made little distinction between the years when they were ruled by alcaldes of their own selection, or justices under subjection to the sub-prefect. Travelers almost invariably called the magistrates alcaldes. Even historians as a rule overlook the fact that after the enforcement of the laws of 1837 alcaldes disappeared entirely until 1844, were then generally reinstated for only eighteen months, and were finally abolished altogether except in Monterey and Los Angeles. In spite of the niceties of documentary criticism, the alcalde and the ayuntamiento have been enshrined as the characteristic local institutions of California.

What then, shall we say of the alcalde? That, in truth is another story, for tradition, and statute, documentary record, and travelers' gossip provide rich material for reconstructing his picturesque and delightful figure. He was called upon to present in his own person an example of well regulated demeanor and attention to business; to encourage industry, to restrain vice, and to punish crime.[26] He presided over the

[26] See the admonitions of Governor Borica to an alcalde prior to 1800, Hittell, California, I, 594.

deliberations of the ayuntamiento, he poured oil upon the troubled waters of domestic maelstroms. He had great authority in the distribution of public land, he drew up contracts, he safeguarded the rights of orphans. He received the laws and orders made by higher authority, then summoned the citizens with the beat of a drum, and promulgated the new regulations by word of mouth.[27] When neighbors fell out and invoked the law, their first recourse was to the alcalde, who conducted a trial of conciliation. Each side selected an arbitrator, the dispute was thoroughly aired, and judgment rendered by arbitrators and alcalde. No costs attended this hearing, which was designed to give prompt justice without the burden of expense. The verdict, however, was not binding, and either party might demand a more formal trial. The alcalde presided over the "verbal processes," trials of minor civil and criminal suits, with an enlarged board of arbitrators who rendered a binding verdict.

An elaborate system of higher courts was authorized for California by constitutional enactment, and some appointments appear to have been made. It is doubtful, however, that the judges ever performed any effective service.[28] In the absence of superior tribunals, the ranking, or first alcaldes in California were authorized to hold courts of first instance for the trial of cases of major importance. This function was especially defined in the orders of Governor Micheltorena, in 1843,[29] and upon it was based the most important judicial position of the Mexican alcalde, and of the American alcaldes who served during the period of transition.

The alcalde's judicial authority could extend far beyond the corporate limits of his pueblo, and Dwinelle cites original documents that define the terms applying to his "jurisdiction."[30] It can readily be seen that the alcalde was a person of importance—even his silver headed cane, sent by the hand of a subordinate, was potent to summon the citizens to his presence. He was a busy magistrate, also, but he had only

27 Reminiscences of R. F. Peckham, in San José Pioneer, July 7, 1877, This custom explains the lack of collected or printed statute law that astonished the Americans.

28 Bancroft, California, IV, 531; Frederic Hall, History of San José, 169; W. H. Davis, Sixty Years in California, 105; Willoughby Rodman, History of the Bench and Bar of Southern California, 32.

29 Dwinelle, Colonial History, Addenda LVII, p. 85.

30 Dwinelle, Colonial History, Addenda XXXIII, p. 51.

honor, not salary, for his recompense, and acceptance of the office was compulsory.

The duties of the ayuntamientos were such as might be expected from a town council that directed municipal affairs. The limits of this article will not permit a discussion of any especial functions, of financial methods, of the picturesque "judges of the plains," and "judges of the water." Neither can we speak of the great ranchos, and life as it developed there. An end must be made. But first a word of interpretation.

We have traced the civic institutions of California for nearly seventy years. They were well conceived, well adapted to the needs of a colonial outpost. They were fairly well administered, and yet at the close of Latin-American rule we find a scant dozen civic centers, without physical comforts, or community ambitions, with no pride in the adventures of the past, with no impulse toward improvement in the future. Political unrest, revolutionary intrigue, personal and sectional jealousies absorbed the energies of the citizens. They were strangers to the impulse that leads the frontiersman of another race to put his labor, his sweat, his hope, his life itself into the soil of a virgin land. With all their traditions as conquerors, and the fine organization of their practiced systems, they might have founded a prosperous colonial life upon the labor of gentle and teachable natives. When the Indians failed them, their whole scheme crumbled. Pride and indolence forbade them to labor with their own hands, and all the industries of the Missions withered into ruin. In the garden spots of a generous country, the Californians lived on rude and meager fare. Their mighty ranchos gave them beef, and beef alone. They developed no life that brought northward fellow countrymen to share in upbuilding their towns and strengthening their borders. California had no voice that attracted new settlers from the mother country, yet at the same moment California called aloud to men of courage and energy from all the adventuring nations of the earth!

When the change of flags came, in 1846, international law prescribed that local municipal institutions should be perpetuated. As we have seen, the prefecture system was actually in vogue, but this the Americans ignored altogether. Following the precedent they found at Monterey, they placed alcaldes in charge of the other towns, whether large or small, with coun-

cils, in some cases, to act in concert with them. Thus the Spanish tradition, rather than the Mexican system, bridged the gap between Latin and Anglo-Saxon, and alcaldes ruled in California until the days of the commonwealth.

Mary Floyd Williams.

THE DISCOVERY OF CALIFORNIA

The discovery of California would probably have attracted no more attention than the discovery of the Tres Marias except for the fact that some pearls were found. The peninsula is extremely arid, composed almost entirely of mountains, and with a small number only of narrow valleys that can be cultivated. It suffers from a deficient rainfall, and was practically entirely abandoned until over 150 years after the discovery. Several attempts at a settlement were made but failed, probably for the reason that there was no excuse for remaining there. It is a curious fact that in spite of all the talk about pearls there is no record that Cortes took away any pearls, and still less Ulloa, whom I do not remember to have even mentioned them. The first serious attempt at pearl fishing was made in 1615 by one Tomas de Cordona, who made a contract with the King and sent out his nephew, Nicolas, with Juan Iturbi. They stopped on the Venezuelan coast to get some pearl divers, and there is no doubt that this company succeeded in getting some pearls, but it is probable that the returns were never commensurate with the expenses. The pearl oyster is found along the Gulf side attached to the rocks under water, and usually at some depth. Occasionally after a very heavy storm numbers of oysters which had been loosened by the force of the waves were washed up on shore, and at such times, which occurred perhaps once in fifty or a hundred years, a number of pearls were found. In the early days the Indians used to roast such oysters as were found, in order to open them, and by this process the pearls were discolored. In spite of the meager returns, the tradition was maintained in Spain that the peninsula was very rich, and it was later supposed that the Jesuits had found gold there. As a matter of fact there is very little payable mineral on the peninsula, active explorations undertaken in the nineteenth century having developed only one silver mine, which paid very well for a while, and one copper mine, the famous Boleo, belonging to the Rothschilds of Paris, and still being worked. Outside of a few spots the peninsula probably contains a smaller population than it did at the time of its discovery, many Indians having died off for one reason or another, their places not having been supplied

by Mexicans owing to the extremely barren character of the country and lack of exploitable resources.

We know very little about the discovery of California; almost everything connected with it being a matter of conjecture. When it was discovered and by whom, who applied the name and when, to what was the name originally applied, and the derivation of the name, all have question marks after them, some large and some small. In recent years some writers have assumed that some of these questions have been satisfactorily answered and have indulged in very positive statements, for which I find, however, no warrant. I have made a study of the discovery period lasting from 1533-1540, based on the original materials so far as they were available to me, with the intention of incorporating the substance of them in a book to be published some day on the sources of the history of California and the Southwest, and I take pleasure in extracting from this work such parts as I think will prove interesting.

First I shall call attention to the sources of our knowledge of the discovery. The principal ones are the communications of Cortes himself and the allegations of Nuno de Guzman in the famous process at the court of Spain, published in the Pacheco and Cardenas Collection, Vol. XV, pages 300-408. An extensive expediente on this proceeding exists, most of the papers being dated 1540-41, and a number of them were published. Cortes' own communications consist of letters to the Emperor and the Audiencia of Mexico, his famous Memorial of July 8, 1539, and other papers, which will be found in Navarrete's "Colleccion de Viages," Vols. IV and V, Pacheco and Cardenas Collection of Documents, Vol. XII, pages 451-58, and Vols. XIV and XVI, Smith's Collection of Documents on the History of Florida, the "Escritos Sueltos de Cortes," published in Mexico in 1871, and a document in the "Colleccion de Documentos Ineditos," Vol. IV. Father Mariano Cuevas in his "Cartas y otras documentos de Hernan Cortes," Seville 1915, has printed a number of documents which shed considerable light on the activities of Cortes at this period but do not help us particularly to a solution of the questions still unanswered.

The first printed account is to be found in Lopez de Gomara's Conquista de Mexico. The printing of this work was begun in the year 1552 but was not finished until 1553. As far as the writing of it is concerned, it seems to have been

finished in 1551 or 1552, as it contains a reference to Velasco being sent as viceroy to Mexico in 1551. The main part of the work, however, was written before 1545. Lopez de Gomara also wrote the "Chronica de los Barbarojas," the introduction to which is dated December 5, 1545. In this he states that the History of Cortes will soon be finished. For all practical purposes this work ends at 1540 at the time of Cortes' going to Spain, a few chapters recording events after that date not containing any information even regarding Cortes' suit before the Council with Guzman, De Soto and Alvarado. It is probable that his account of Cortes' expeditions to California and the north was derived from Cortes himself, although there is an occasional statement which might throw some doubt on this. At any rate he gives a connected account which is the source of most of the statements made by modern writers.

The account published by Herrera in 1615 is taken almost bodily from Lopez de Gomara, except for the Ulloa expedition, which he copies from Ramusio.

Ramusio, in Vol. III of his Collection of Voyages published in Venice in 1556, gives an account of the Ulloa expedition written by one Francisco Preciado. Nothing is said as to where Ramusio got the original, which probably was written in Spanish, but I feel rather confident that the account had been printed in Spanish in some form now lost.

Bernal Diaz has a few remarks to make about California in his recollections, published in 1632 but actually written before 1570, or about that time.

In 1529, October 25, Cortes made an asiento with the Empress for discovery in the South Sea, and then went to work in earnest. Beside giving him rights to any islands discovered in the west, he had rights of discovery on the mainland, and this was the main cause of his difficulties later with Guzman and his claims in 1540 to the right of discovery of the lands found by Niza.

In 1532 his ships were ready, and his first expedition under Diego Hurtado de Mendoza set out from Acapulco in May. The instructions to Hurtado are published in Escritos Sueltos 196-205. Hurtado went ashore in the northern country near the Rio Fuerte with most of his men, and they were killed by the Indians.

Meantime Cortes was building other vessels to go to the assistance of Hurtado, and in February he wrote they would leave in March, but by delays of one kind or another they did not leave Santiago near Tehuantepec until October 30, 1533.

One of the vessels commanded by Grijalva, after being separated from the Capitana commanded by Diego Becerra, made a voyage up the coast and then returned to Acapulco, and someone wrote an account of the voyage which is still extant. Smith Doc. 163. P. and C. XIV, 128-42.

The other vessel's movements are involved in great obscurity. Becerra was killed during a mutiny headed by the pilot, a Basque whose name, according to a document in Cuevas, was Ortuño Ximenez de Bertandona. Ximenez took command and landed the wounded and the Franciscan fathers who accompanied the expedition on the Jalisco or Colima coast, and then sailed away to reach what was supposed to be the bay of La Paz in California, where he and most of the crew were killed by the Indians. A few survivors got back to Chametla, or possibly Matanchel, and were seized by Guzman. In a letter dated February 8, 1535, printed in Escritos Sueltos 260, Cortes states that he sent full accounts of both expeditions and received no answer. In his letter he states that only by a miracle in escaping the vigilance of Guzman had a survivor of the last expedition reached him with the news that the Capitana had come to Guzman's country, that Becerra and seven men had been killed, and that the treacherous pilot with the rest had been killed by the Indians of the islands they had discovered, and that on account of the good news they brought of the land, Guzman had taken the ships and contents and tried to send the ship himself to the island but failed as she was wrecked, probably at Purificacion near Colima. July 24, 1534, an agent of Cortes, one Alonso de Zamudio, had appeared at Compostella to interrogate Guzman about this ship. Guzman said that the survivors spread reports about finding gold and pearls, which is probably the good news Cortes referred to. P. and C. XIV, 439. As a result of this expedition Cortes made complaint to the Audiencia against Guzman [P. and C. XV, 300 et seq.] and Cortes and Guzman made charges against each other, both giving their accounts of what happened, but no original statements were produced from any of the survivors. Guzman stated distinctly that the sailors who survived told him it was an island and that Ximenez called it Santa Cruz.

This island which Ximenez discovered is supposed to be the peninsula of California, and this belief is sustained by Cortes' statement in his memorial of 1539, although there he says it was the place where Becerra had been. This statement of Cortes is the only evidence that Ximenez had previously been in the bay of La Paz, and after all, the statement does not even prove that, as Cortes only refers to Becerra; nor does the statement, if properly examined, prove that even Becerra had discovered the bay of La Paz or the island to which Cortes referred, as he does not identify distinctly his land of Santa Cruz with the island to which he refers as the place where Becerra had been. As the omission of Ximenez' name can hardly be a slip of the pen, it raises the question as to whether Becerra himself had not discovered the island before being killed, or if this is not meant, Cortes must refer to some other island. When Cortes took possession of Santa Cruz he said nothing about Becerra nor Ximenez, and in fact in his letter to Cristobal de Oñate from Santa Cruz, May 14, [Cuevas 171] he says he gave the name because they arrived on the day of Santa Cruz, and not, as Bancroft says, because Ximenez was killed there on Santa Cruz day. The only definite statement that I have seen anywhere that Ximenez had been at Cortes' Santa Cruz and was killed there is to be found in Lopez de Gomara. Bancroft says that Cortes found remains of Ximenez' party at Santa Cruz, but I have been unable to find such a statement in any of Cortes' writings.

Whatever Ximenez discovered, it seems to be the fact that Cortes, on his expedition which left the mainland about the middle of April, 1535, knew where he was going, having probably with him some of the sailors who had been on the previous expedition. On May 3 of this year he landed and took possession of what was the mainland of the peninsula. He named the spot Santa Cruz, from the day on which the landing was made, and proceeded to form a settlement. It is very natural, from the position of Lower California opposite the mainland, that Cortes should have considered this part of the peninsula, at least, to have been an island; and it has generally been supposed that the subsequent use of the word "island" in connection with California refers to this plausible supposition. Nevertheless there is a very considerable amount of evidence that the island of California, as it was known later, was not the peninsula at

all but some island lying off the coast, or land thought to be an island.

The auto of judicial possession of May 3 still exists in the archives, and accompanying it is a small map, reproduced in Winsor II, 442, and in Richman. Only the lower end of California is shown, but the Sinaloa coast is marked to 26°, or higher, to the Rio San Pablo y San Pedro. Land was first seen to the south of the entrance to the port, and Cortes named the range of hills, San Felipe. Sailing up, they discovered an island, obviously Cerralvo, and later the two off the entrance to the bay of La Paz, which he named S. Miguel (afterwards known as Espiritu Santo) and S. Christobal. There is not extant any contemporary account of this voyage of Cortes, only numerous references to it in Cortes' Memorial published in the Documentos Ineditos Vol IV, page 211, in the documents known as "Probanza" in P. and C. Vol. XVI, and in Vol XV in the "Proceso." Richman is of the opinion that the original California was either Cerralvo Island or the island of Espiritu Santo, the small island at the mouth of the bay of La Paz.

Diaz del Castillo tells us that Cortes left Santa Cruz and went to discover other lands and found California, which is a bay. As the map filed by Cortes with his auto of possession only shows the land to the south of the bay of La Paz, he must have gone in that direction or else back to the mainland. Cortes took back to Mexico from what he calls the land of Santa Cruz, some Indians, to be taught Spanish so that they could tell him what they knew about the land to the north—at least that is what Cortes means.

The expedition of Cortes was a lamentable failure from every point of view. Great hardships were encountered, many of the friendly Indians and servants died of hunger, and even some of the Spaniards, and there is nothing to indicate that pearls in any substantial quantity were found. Still less, of course, was any accumulated treasure discovered; and although it is possible that indications of minerals were found, subsequent developments on the peninsula have demonstrated that no mines rich enough existed to have been a subject of exploitation at that time, even if the expedition had happened to stumble on them. Certainly there was nothing discovered to warrant any further exertion in that direction, and the subse-

quent expedition of Ulloa, sent out by Cortes in 1539, had entirely different objects in view.

This expedition, which left the mainland in July, 1539, was a voyage of exploration, not for scientific purposes but for the purpose of reaching some point in the north where it was hoped that communities existed which were in possession of gold or silver. Such expeditions were probably founded upon the story of Cabeza de Vaca. He seems to have found something like a permanent Indian village somewhere in the northern part of Mexico, and he also seems to have heard of permanent settlements farther to the north. It must not be forgotten that at this time the whole Spanish world was filled with stories of the wonderful results achieved by Pizarro in obtaining an enormous amount of booty from the Inca towns and the Inca graves. There was no particular reason why, if such communities existed in Peru, they should not exist in the northern part of Mexico; and any stories about permanent settlements, whether of houses of stone or not, were bound to awaken the hope that silver and gold would be found there. The Viceroy had set on foot a scheme of search, and Cortes, who had certain rights of exploration in the Pacific to the north of the country discovered by Guzman, prepared shortly after the expedition left, the "Memorial Al Emperador Sobre Que No Se Le Embarace," in which, after setting forth a short history of his explorations, he protests against any attempt being made by the Viceroy to interfere with his discoveries. With this memorial he sent to Spain three trustworthy agents, and in his instructions to them he urges that they get speedy action and see that the Emperor sends an order to the Viceroy so that it will arrive by the month of April, 1540. The object of this was to prevent the Coronado expedition.

Escritos Sueltos, 290-299.

Ulloa sailed to the north, but found himself in a pocket, and rounding the gulf of California it was found that Lower California, as we know it today, was a peninsula, and that not even the lower part of it was an island. The expedition proceeded, therefore, to sail around the peninsula in order to obtain northing by going up the west coast. Just how far Ulloa finally sailed we do not know, but a little north of the island of Cedros is as far as the accounts of the expedition which have survived show the party to have gone. One of the vessels

returned from the island of Cedros, and Ulloa with the other continued the voyage. No statement appears to be extant as to what happened to him, but it is practically certain that he returned later.

There are two accounts of this expedition in existence—one a manuscript account in the nature of an official report written by the notary, Pedro de Palencia, to Cortes, still unpublished, and the account written by Francisco Preciado in Ramusio, in Italian. I have not seen the report of Palencia, which is entitled: "Testimonio de los descubrimientos que hizo el Capitan Francisco de Ulloa por orden de Hernan Cortes en la costa Norte de Nueva Espana, con una relacion de su viaje desde Acapulco hasta la Isla de los Cedros, Mejico, 29 de Mayo, 1540." It is found in the Arch. Genl. De Indias Est. I, Caj. I, Leg. 1-20. The date, 29th of May, 1540, is the date of the legalization of the copy in Mexico City. From statements made by Richman it appears that it is substantially the same as the Preciado account. This latter account appears translated into Italian in Ramusio III, 339-354, and is entitled: "Relatione Dello Scoprimento che nel nome di Diova à far L'armata dello Illustrissimo Fernando Cortese, Marchese di Valle con tre naui, chiamata, l'una Santa Agata, di grandezza di dugento quaranta botte, l'altra, la Trinita, di grandezza di settanta, & la terza san Tomaso, di quarãta, dellaquale armata su Capitano il molto Magnifico Caualliero Francesco di Vlloa habitator della città di Merida."

The account does not purport to be an exact translation of an account written by Preciado, but to be taken from an account, the original of which has not survived. Who the writer was we do not know, but in spite of the fact that several writers have suggested that he was a friar there is little to indicate this and plenty of evidence that he was not, but more likely a soldier. There are some indications that there are interpolations in the Italian text. This account in Ramusio was translated by Hakluyt, and will be found in Vol. III, pages 397-424, and a comparison of the translation with the Italian original shows that Hakluyt also made some interpolations, although in the main the translation is a very faithful one.

The stay of Ulloa in California was purely incidental. Landings were made in several places, apparently with no other object than to get some information out of the Indians.

The expedition had along the Indians who had been taken by Cortes to Mexico to learn Spanish, but I do not find in the narrative that any Indians were found who could understand them. As a result of the expedition California may be said to have been pretty fully discovered. The shore of the peninsula on the east side had been skirted and also the west side for quite a considerable distance towards the north. The land was determined to be a peninsula and not an island, and as nothing was found on it except rocks and a few wild Indians, interest in the country ceased for a long period.

Failing to get any satisfactory replies from his communications to the Emperor, and his relations with the Viceroy becoming more and more strained, Cortes went to Spain himself in 1539, and in 1540 presented to the Emperor his famous "Memorial sobre agravios". In this he claims that Hurtado had discovered the land in the north which Marcos de Niza had discovered, and that when he was in Santa Cruz he had full news of this land, which was somewhat farther on in the same region of the coast; but as he had no one who could understand the language of the Indians, he could not find out all the details about it, and therefore he had taken to Mexico some Indians, who, after they had learned the Spanish language, gave him further particulars about the land. He further adds that when he came back he told Father Marcos de Niza about what he had found out, because he had expected to send him in one of his ships in prosecuting the conquest of the said land. He adds that the friar communicated this information to the Viceroy, with whose license he himself went to make a discovery of the same land. When the Father returned, Cortes says he claimed that he had arrived in view of this land, which Cortes denies, and says that all that he told was what he had learned from him and which he himself had learned from the Indians. Escritos Sueltos 299.

About this time began the famous litigation in Spain between Cortes, Guzman, De Soto, and Alvarado, on the right of discovery in the new land. An extensive expediente exists, part of which has been published in P. and C. XV, pages 300 et seq. under the name of "Proceso del Marques del Valle y Nuno de Guzman y los adelantados Soto y Alvarado sobre el descubrimiento de la Tierra Nueva." Among the documents published are an auto of possession by Cortes of Santa Cruz, May 3, 1535, page 307; petition by Lopez on behalf of Cortes,

March 9, 1540, page 316; auto of possession of the island of Ramos and similar autos for the islands of Nuestro Senora and La Madelina, in March, 1532, by Guzman, page 320; account by Diego de Guzman, July 28, 1533, of what he found at Teta Muehla, fifteen leagues beyond Petatlan, pages 322-338; Guzman's testimony about the Cortes expedition, page 344; Guzman's statement about the survivors of the Ximenez party, spreading the story that there was much gold and pearls, page 347. May 25, 1540, the fiscal Villalobos passed an opinion that none of the parties had any rights. August 12, Cortes in answer makes the contention that he had made the discovery of Cibola, himself, page 347. May 13, 1541, the proceedings were still pending, the council giving thirty days more. [The last document published.]

May 9, 1540, Hernando de Alarcon set out from Acapulco in command of two ships, on a voyage to the north as an auxiliary expedition to the Coronado expedition. It is not the purpose to examine this voyage at this place, but simply to call attention to the chief pilot, Domingo de Castillo, who after his return made a map of California, and the eastern shores of the gulf as well. The original of this map has disappeared, and we only know it through a copy published in Lorenzana's edition of the letters of Cortes, Mexico 1770. The map is reproduced in Winsor II, 444. There is just a possibility that this Castillo may have been the pilot of the Santa Aguada of the Ulloa expedition. In the Preciado account this man appears as Giovanni Castiglione, or in another place, Castigliano. He arrived with the Santa Aguada at Santiago de Buena Esperanza, April 18, 1540. As Alarcon stopped there a few days after May 9, it is possible that he obtained this man as pilot. It is hardly likely, however, as the christian names are different, one being Giovanni, and the other Domingo. However, whether the men be the same or not, the map ascribed to Domingo de Castillo contains the results of the Ulloa expedition as well as those of that of Alarcon. The main interest for us in this map is the fact that as it appears in Lorenzana it contains the name "California" as the name of the lower part of the peninsula.

In Niza's "Relacion siniestra", as Cortes calls it, Niza says that in the twenty-five or thirty leagues beyond the Rio Petatlan he found nothing except some Indians from the island where Cortes had been, and certifies that it is an island and not the mainland as some suppose. He further adds that it was half

a league from the coast. He also adds that there were some other Indians who came from a larger island farther on, who had mother of pearl but no pearls. We have no record of Cortes having been at any island on the Sinaloa coast at this point, except a statement made by him in the "Memorial al Emperador" of 1539, where he says, referring to the possession of the land that he had discovered, that he had discovered it, not only with the ship of which Hurtado was captain, but at the time that he himself was in it. This is a little ambiguous, and should probably be interpreted in connection with his statement in his "Memorial sobre agravios" of 1540, where he says that he arrived at the land of Santa Cruz, which is very near the land discovered by Hurtado and next to it, and that no other one had arrived there except the said Hurtado. This statement of Niza seems to furnish some support for the statement of Cortes that all that Niza knew had been learned from him.

By Whom Was the Name Given and to What Was It Applied?

Professor Chapman in his recent book on the History of California, page 66, advances the opinion that Ximenez gave the name on his discovery in 1533 or 1534. He himself gives no reasons whatever for his opinion, but only some by way of explanation why the name was not used after having been given; all of which seem very fanciful.

No one has yet discovered that Cortes ever used the name even as late as 1540 or 1541. Not only is this the case, but the name will not be found used by any of the witnesses in the proceedings between Guzman and Cortes, nor by Guzman himself. A considerable number of documents has been unearthed bearing on these quarrels, and so far the word "California" has not been found. This in itself is extremely strong evidence that the name was not in use before 1540, and further, that it had not been applied by any of the parties connected with the proceedings.

In investigating this matter let us proceed backwards, so to speak. In 1556 the name was undoubtedly in use, as we find it in Ramusio. In 1552 it was used by Lopez de Gomara. We do not know exactly when he finished his book, but the last part of it certainly was finished after the death of Cortes in 1547, and the main part of the book was finished before

1545. It is probable, therefore, that the word was in use, or known to him at least, in 1547. In 1543 we have an account of the Rodriguez Cabrillo expedition in which the author states that July 2, 1542, they sighted California. There are several manuscripts of this account in existence, none of which are signed, from which it appears that they are all copies. The copy that was printed by Buckingham Smith was made from a manuscript copy in the Muñoz collection. The expedition returned to Navidad on April 14, 1543, and obviously the report was prepared some time after that date, as it does not seem to be the original log of the voyage. The use of the name "California," therefore, as of July 2, 1542, or April 14, 1543, is not entirely above suspicion; but nevertheless I think that there is a fair probability that the writer of this account knew the name when he set out on the expedition in July, 1542.

Castillo's map of 1541 has the name "California" lengthwise on the lower end of the peninsula, and is usually accepted as proof positive that the name was so applied at that time, that is, 1541. There is always a possibility, however, that the name was added by Lorenzana himself, and unless we had the original map with the name on it we could not be positive that Domingo de Castillo so knew it. No other map that I have seen shows the name "California" in such a way as to be applicable to the whole peninsula or even the southern part thereof until one made in the latter part of the sixteenth century. This fact throws considerable doubt on the use of the word in the Castillo map.

In Preciado's account in Ramusio, the word "California" occurs three times—twice as applied to an island, and once without any addition to indicate to what the word was applied. The account does not state where "California" was, nor does it appear in the narrative that the expedition went to "California." At least no mention of seeing such a place is made.

On November 10, while going south along the Gulf coast, the statement is made that the ship was fifty-four leagues from California, a little more or less. Professor Chapman in his book tells us that there is a similar statement in the Palencia account; only there "Santa Cruz" appears instead of the word "California," and thus Professor Chapman draws the conclusion that "California" was the same as "Santa Cruz"; from which he draws the further conclusion that the place where Cortes and

Ximenez had been was therefore called California, as another name for Santa Cruz. From a careful inspection of the narrative I have not been able to determine at just what precise point the ship was located on November 10, nor even approximately. On October 29, the vessels had left the bay of La Paz, and while going out through the channel the Trinidad went ashore. After getting her off, they had contrary winds and heavy storms from the southwest. The vessel finally took refuge between the islands of Jacome, San Felipe, the Island of Pearls, and the mainland; and on the 7th they began again their southern voyage. From this it would appear that the vessel was somewhere between the bay of La Paz and the southern point of California, and the ship might have been fifty-four leagues from the bay of La Paz on November 10. However, the account proceeds to add that on the 10th they went to the Isola de Perlas, which was round and covered with trees, and shortly thereafter they were in the "porto de santa Croce." This statement puzzled me very much, as I could not believe that they were back again in the bay of La Paz. At least it seemed extremely unlikely.

I then noticed that on the return voyage of the Santa Aguada from the Island of Cedros, the vessel arrived at the "punta de porto de santa Croce." I began to suspect that there were two places named Santa Cruz. A further examination of the text shows that in the unquestionable allusions to the bay of La Paz where Cortes had been and where the expedition stopped on its way down the coast, the place is referred to as the "porto de Santa Croce," and in all the other places where the name is found it is spelled "santa Croce" (with a small "s"). Preciado tells us that when they came to the "porto de santa Croce" on the return trip, they found a number of whales—a phenomenon which has been noted almost invariably by all visitors to the waters of the south end of the peninsula, especially near Cape San Lucas. Whether this port of "santa Croce" was under Cape San Lucas or Cape Pulmo it is difficult to say, but I think it probable that it was under Cape Pulmo from the fact that when the expedition started out and crossed from the mainland, they went to this same "porto de santa Croce" before proceeding on their northern exploration. The southeastern point sometimes appears in later maps as the "Cabo de Santa Cruz." Therefore it seems highly probable that whether the word "California" was used in the original narrative of Pre-

ciado or was interpolated by Ramusio, it was intended to apply to a port at the southern end of the peninsula, and this conclusion is entirely consistent with the statement in Bernal Diaz.

The result of the various statements in the Preciado account about Santa Cruz and its location was to introduce into the cartography of the period, great confusion.

The earliest map that seems to be extant showing the name "California" is the Gutierrez map of 1562, reproduced in Miss Putnam's "California The Name," where it applied apparently to the southeastern point, that is, the point which was afterwards known as Cabo de la Porfia and is now known as Cape Pulmo; and indeed, there is considerable evidence that this cape, or an island near there, was what was first called by this name. For instance, in the account of the Rodriguez Cabrillo expedition, July 2 they sighted "California." July 3 they anchored at the point of "California." From here they sailed to Port San Lucas in one day. Again on the 25th he says that they saw some trees, the first that they had seen since leaving the point of "California." It must not be supposed that he means by the "point of California" the point of the peninsula of California, but Point California, as we would call it now. Bernal Diaz de Castillo states in his narrative that "California" was a bay, and from his description it was obviously the bay between Cape Pulmo and Cape San Lucas, probably what was afterwards known as the Bay of San Jose.

The next map that I have seen with the name is the Mercator map of 1569, where the southeastern point is called "California Alys Punta de Ballenas"; and from this time up to the end of the century whenever the name "California" is found on the map it is applied to this point, although sometimes the point is called "Santa Cruz." All this indicates great confusion in the minds of cartographers, probably produced by reading the different published or unpublished accounts in which the same confusion is found. This statement on the Mercator map is a reflection of that made by Lopez de Gomara in his "Historia General de Indias," chapter 12, where he says, in the description of California, that [trans.] "from Miraflores to the Punta de Ballenas, which others call California, is 220 leagues." By Miraflores he meant some point near the mouth of the Colorado River, as shown on Castillo's map. So far as I know the southeastern point of California was not generally known as

Punta de Ballenas, although one map later than that of Mercator has that name applied to the same point. The name was sometimes applied, however, to what is now known as Cape San Lucas. It is probable that Lopez de Gomara had confused the two points, but the main thing is that he says that it was called by others "California;" in this coinciding with other statements and with the few maps which attached that name to what is now known as Cape Pulmo.

It is to be noted that all the early maps show California as a peninsula, with very few places named. As a matter of fact the earlier maps are better than the later ones inasmuch as on these the port of Santa Cruz is marked exactly where it should be, on the bay of La Paz, while on the later ones it does not appear at all or is transferred to one of the capes at the southern extremity.

There is a preponderance of evidence to the effect that the name "California" was applied between 1840 and 1850, and even later, to this southeastern point. That it was once called an island can probably be explained by the fact that the point itself is a very bold one with hills rising to a considerable height just inland; behind this to the west is a low valley, the land then rising to a still greater height west of this valley. Coming from the north or south, therefore, at a little distance the elevated ground to the east of the valley might appear to be an island. I can discover no proof whatever that at any time was the name "California" applied to the port in the bay of La Paz where Cortes took possession May 3, 1535.

After having examined all the known documents bearing on these expeditions except the report of Palencia of the Ulloa expedition, and all the maps I can find bearing on the subject, I have reached the following conclusions:

First, That the discoverer of California is unknown, and also the time of discovery; but I think it probable that the discovery was actually made by Ximenez some time in the latter part of 1533 or early 1534.

Second, That Ximenez probably discovered the point which was afterwards known as the Punto or Cabo de California and is now known as Cape Pulmo, and that the name California was first applied to this point or the adjacent region. From the fact that he found some pearls I first thought this theory

was unlikely, as I did not believe that pearls were found so far south, but I have since discovered in the accounts of Lower California written in the nineteenth century that it is distinctly stated that Cape Pulmo is actually the southern limit of the pearl oyster.

Third, Lopez de Gomara to the contrary notwithstanding, I conclude that Ximenez was never in the bay of La Paz, or at least there is no other evidence for it.

Fourth, That the bay of La Paz is actually where Cortes arrived, and on the shores of which he attempted to make a settlement.

Fifth, That the time when the name "California" was first applied to anything on the peninsula is unknown, but that the word was certainly in use in 1552, and probably in 1542, assuming that the narrative of the Rodriguez Cabrillo expedition was written immediately after the return in 1543; and further, that if we can take this document to be strictly contemporary, that the word "California" on the Castillo map as found in Lorenzana may have been placed there by him in 1541 when the map was stated to have been made. I consider that the use of the name in the Ulloa narrative as found in Ramusio is highly suspicious, having probably been interpolated by Ramusio himself when the account was translated, a short time before 1556.

Sixth, We do not know by whom the name was given, nor for what reason.

In attempting to reconcile the various conflicting statements I present the following theory as to the sequence of events during the discovery period:

California was discovered probably in the early part of 1534, by Ximenez, although there is some possibility that Becerra himself may have done so previously. Ximenez discovered the southeastern point now known as Cape Pulmo, and which he probably thought to be an island from the peculiar configuration of the land. Here he was killed, and from here the survivors carried back a few pearls to the Sinaloa coast. He named the island, or the place, Santa Cruz, but for some time afterward this projection from the coast was supposed to be an island.

When Cortes took possession of the country he made a settlement on the bay of La Paz which he called Santa Cruz,

and he even included under this name all the country from that point north. Either during this expedition or some time later, in order to distinguish his settlement from the santa Cruz at the southeastern point, the name of the latter was changed to California, and in this way the cape came to be called Cape California, or the Point of California. How much territory was included under this name it is impossible to say, but probably very little, as it was not the custom for individuals to give names to districts or provinces, but only to specific localities. The extension of the name to the peninsula seems to have been very gradual and not to have definitely taken place for over fifty years afterward: and it is probable that this extension was made by European geographers. Indeed there is a possibility that the name California, itself, was applied by some cartographer as a name to replace the santa Cruz at the southeastern point to distinguish it from the Santa Cruz founded by Cortes himself, and that therefore such substitution took place either in Mexico City or Spain.

The Derivation of the Name "California" as Applied to the Island or Peninsula So Called

A number of theories have been advanced as to the origin of the name as applied to the peninsula so called. We are obliged to content ourselves with a theory only, inasmuch as we have no contemporary account of the name being given, and therefore still less for the reasons for giving it.

The first author that I have found who discusses this question is Father Andres Burriel in the first pages of his Noticia de la California, that is the work usually known as Venegas. He rejects the supposition, which seems to have been the common one at that time, that the word was made up from two Latin words—"calida fornax". He remarks that the conquerors hardly had sufficient knowledge of Latin to manufacture a name from Latin words, and that even if they had they were not accustomed to give such names to their conquests. He therefore considered that the name was born of some occasional circumstance such as the misunderstanding of some Indian words, and indeed this always remains a possibility until we have some definite information to the contrary. Nevertheless it is to be remembered in this connection that if

such were the origin it implies a previous knowledge of the word "California," a knowledge which we can readily understand was very likely to have been current amongst educated Spaniards at the time of the discovery.

This brings us to consider the second theory, namely, that the word was derived from the "California" of the Sergas de Esplandian, a romance of chivalry, popular in the days of the conquest. It is not at all likely that the California Indians had any name at all either for the peninsula or for the islands lying off the coast, but it is possible that the Spaniards, who knew nothing whatever of the language, might have misunderstood some expression of an Indian as indicating a proper name for a place which sounded sufficiently like California to immediately suggest that name.

George Ticknor in his History of Spanish Literature gives an account of both the Amadis de Gaula and the Sergas de Esplandian, and it is probably from this work that Edward Everett Hale obtained the idea that the word "California" had been transferred from this romance as a name for the peninsula which now bears that name. At any rate he propounded this very plausible theory in an article read before the American Antiquarian Association, April 30, 1862. Dr. Hale, however, was of the opinion that the name had been applied because of some connection between the story of the Amazons of the original island and the gold and precious stones supposed to have been found therein, and the fable current in Mexico of an island somewhere in the north inhabited only by women.

The first edition of the Sergas is usually stated as having been issued in Seville in 1510, and the authorship is attributed to Garcia Ordoñez de Montalvo, who many assert was also the real author of the Amadis de Gaula. As used in this romance the word "California" is applied to an island, of which Calaña was the queen, and of which the chief product seems to have been griffins, a nondescript animal with the head of a bird and the body of a lion. They evidently also had wings, as they were able to fly. The inhabitants of the island were black women, and their weapons were made of gold, which, together with precious stones, was abundant in the island, no other common or base metal being found.

Ordoñez de Montalvo is supposed to have written the Sergas shortly before 1500, and it has been suggested that the

incident of Calafia and her griffins did not appear in the work as first written, but was inserted because of some remark of Columbus in regard to an island which he had heard of inhabited only by women; but this seems to be only a further speculation about a subject which is to a certain extent all speculation. It seems a little far fetched to drag in Columbus and a supposed island off the north coast of South America to explain a reference in a romance of chivalry, the action of which took place in the Levant.

The facts are that prior to the discovery of California there were stories afloat in Mexico about an island called Ciguatan, which was supposed to be inhabitated only by women like the Amazons. This island was somewhere north of the land that had so far been discovered, and of course as explorations to the north were advanced the location of the island was also advanced. When the news was brought back to the mainland that some pearls had been found on what is now the peninsula of California, or some island off the coast, it was perhaps natural to connect this find with the story of the island inhabited by the Amazons who also were supposed to have had gold and precious stones, and in this way the name "California" came to be applied to the new discovery.

As I said, this is a plausible theory and today is the almost universally accepted one. In fact it is almost assumed by some writers to be a fact and not a theory. It is true, of course, that there was no island either there or near the mainland of Sonora or Sinaloa inhabited only by women, still less was there any gold to be found on any such island, or griffins, and the sole point with which this theory agrees with the facts is in the discovery of some pearls. Whether this was sufficient in itself to suggest the use of the name must remain, for the present at least, a supposition, although from all the circumstances it seems to be a very reasonable one.

A recent suggestion has been made by Ruth Putnam that the name was applied in derision by someone connected with the Alarcon expedition, that is to say, in derision of the grandiloquent schemes of Cortes. This explanation seems to be very far fetched, and not at all consonant with the methods of applying names to places by the Spaniards. Indeed, from whatever point we look at it, the application of this name cannot be reconciled with any of the known methods of naming

places adopted by the Spanish conquerors. I only recall one other possible example of the use of what might be called a fancy name, and that is not strictly an analogous case. Ponce de Leon named the peninsula opposite Cuba "Tierra Florida," and the name survives today as "Florida." This is a very unusual name, but it is not quite like the use of the word "California," as what he meant by the expression was "the land of flowers." It is sometimes suggested that the name Amazonas for the river is another example of an adaptation of a name from mythology, but this was not the name under which the Spaniards knew the river, as it was named by them the "Marañon," and the Amazons were only supposed to live on it.

There are two theories as to the origin of the word "California" as used in the Sergas de Esplandian. It seems that the word "Califerne" is to be found in the Chanson de Roland, where it is used in connection with Africa. This would indicate a possible derivation of the word from "caliph". According to the advocates of this theory, this word was imported from the Chanson de Roland into the Sergas de Esplandian, where it appears as "California," and the queen of the island, "Calafia," is therefore a female caliph.

The other school, of which perhaps Dr. Davidson was the chief exponent, derives the word from the Greek roots—"kallos" —beauty, and "ornis"—a bird, the "f" being inserted for euphony. It is to be noted in support of Dr. Davidson's theory, that there are a number of words in the Sergas which bear a suspicious resemblance to each other and indicate that they have been formed on the same plan, all having as a basis the word "kallos"—beauty. It must not be forgotten that the author of the Sergas stated that the work was written in Greek.

There seems to be no means of deciding which one of these theories is the correct one, and future writers will no doubt continue to accept the particular solution which is the most attractive to their own tastes.

In the agony column of one of the San Francisco morning papers recently appeared a letter signed "Greek," in which it was stated that the word "California" was found in Homer, and that the word was a perfectly good Greek word, being made up of two Greek roots meaning "good" and "to bring,"—that is to say, "bringing good things." The writer did not mention

in what part of Homer the word is found, so I leave it to some diligent student to search in the many pages of Homer to find out exactly where it occurs.

H. R. Wagner.

ADVENTURES OF THE PLAINS

(1856) The San Francisco Daily Chronicle of January 21, February 5 and February 16, published in three installments an article entitled "Adventures on the Plains," written by one Charles Cardinell, who was a member of Captain Parker H. French's California express train of 1849, which left New York May 13 on the steamship Georgia. The expedition proceeded by way of Havana and New Orleans to Lavaca, Texas, and after numerous difficulties reached San Antonio in early July. Leaving on the 15th, they passed west by way of Castroville and Fort Clinton, crossing Devil's River and the Pecos, and arriving in El Paso on the 18th of September. It here developed that French had been drawing against Howland & Aspinwall on a letter of credit which apparently was a forgery—at least he was using it without authority. At this time there were two hundred and thirty passengers and hired men at El Paso without any means to get to California. On the 20th a meeting was held of the entire company, which decided to take possession of the property and sell it. The company divided the proceeds and split up into various parties to make their way overland to California as best possible.

The preceding account is taken from a "Journal of the Sufferings And Hardships of Capt. Parker H. French's Overland Expedition To California, Which Left New York City, May 13th, 1850, By Way Of New Orleans, Lavacca And San Antonio, Texas, El Paso, On The Rio Grande, The River Gila To San Diego On The Pacific, And Landed At San Francisco, December 14." The account was written by William Miles of Carlisle, Pennsylvania, in a letter forwarded to his brother, Wesley Miles, who had it printed in the form of a pamphlet in Chambersburg, Pennsylvania, in 1851. When a copy of this pamphlet turned up a few years ago, it was reprinted by the Cadmus Book Shop in 1916 in an edition of two hundred and fifty copies.

Cardinell begins his narrative at El Paso with the breaking up of the party, and he then proceeds to detail his experiences while on the way from El Paso to San Diego, giving a much fuller account of this part of the journey than that contained in Miles' narrative.

According to Miles' account Cardinell came from Belleville, Canada, West, and in that account we find his name signed to a statement of the fight at Carletus [Corralitos], of which Cardinell gives a full account in his own narrative.

Mrs. C. A. Dolph of Portland, Mr. Cardinell's daughter, has kindly furnished us with the following interesting account of her father:

Charles Cardinell, the writer of the article, taken from his intensely interesting diary, relating his harrowing experiences of the seven tragic months occupied in crossing the plains, was born in Ontario, Canada, at his parents' country home between the bay of Quinty and Lake Ontario, on November 19, 1822, and died in Portland, Oregon, August 22, 1907. His parents were James Cardinell, born in Quebec, and Delila (Darling) Cardinell, born near the Bay of Quinty, Ontario. In 1845, in Belleville, Ontario, he married Miss Jane Blaind of that town, the daughter of Mr. and Mrs. W. K. Blaind. Her father was a professor of Latin and Greek. Mr. Cardinell received his education in Belleville, making an especial study of architecture, which he followed as a business much of his life.

In 1849, like so many of the young men of that day, he was possessed with the desire to reach California, the land of the newly discovered gold mines. The excitement of this wonderful discovery was felt quite as much in Canada as on the American side, hundreds of young men casting away good stable lines of business or professions to rush madly to the gold fields—Charles Cardinell was one of these. His experience, like that of thousands of others, was a series of making money and losing it, but his love for architecture and building served him in good stead, for in addition to mining he erected many buildings in Tuolumne County and also in Solano.

In 1867 he moved with his family from California to Portland, Oregon, and there engaged in erecting buildings for others and a few for himself.

During the last thirty-two years of his life he was afflicted with partial paralysis, but the same indomitable courage shown during the hardships he related in crossing the plains was manifest during all those years. His wife, a most estimable woman, died in Portland in 1894. Two of his four children died in infancy. The two who survived him are Mrs. C. A.

Dolph of Portland, Oregon, and Charles B. Cardinell, living at present in Missouri.

He personally watched his own interests—being able to walk but little, he was driven daily about his buildings taking care of the most minute details. He was considered by some, especially those carrying but little responsibility, peculiar, in that he exacted every farthing coming to him, but he was equally punctilious in paying to others every penny he owed them. His giving was so unostentatious that many in his city thought he did but little; those of his household, his family and old servants, knew differently—they particularly were well remembered at the time of his death.

No. I.

Left New York on the 13th of May, 1849, for Port Lavaco, Texas. We arrived at El Paso near the end of September, after a long and tedious journey. Here our company of about 250 was broken up. The passengers becoming tired of so much delay took possession of the train and sold it. The amount of money taken for wagons, mules, harness, etc., would pay but twenty per cent on the demands against French. My demands being at this time $200 gave me according to the percentage allowed, $40, for which I drew a mule, valued at $45, and paid the five dollars difference. I also bought another mule from a private individual, and supplied myself with plenty of provisions and clothing.

I now joined a dozen of the old company, and we made our way to Corlitao, a Mexican town about 130 miles west of El Paso. Having arrived there, we unpacked our animals, led them to water and were engaged in washing their backs which were already becoming sore from the effect of the packs. But now a sudden yell or war-whoop of many voices broke upon our ears, and soon there appeared, to our surprise, French at the head of men, all mounted and well armed, each having a six-shooter in his right hand, and on his left shoulder a rifle. On they came, charging upon us at full speed, whooping and yelling like so many savages.

They fired upon us, and the balls were whistling about our

heads in every direction. My companions were falling to the earth on every side of me, with awful groans, in the last agonies of death. This lasted but a short time. French received a ball in the wrist, which passed out near the elbow, shattering his arm to pieces. One of our party, by the name of Wright, was shot through the neck. He died instantly. Another one, named Nelson, while in the act of stooping to lift a comrade from the ground, was shot through the back. He died in a few hours. Another, named Cooper, was shot through the thigh; and another, an old man, also of our party, by the name of Holmes, had both arms shot off. The groans of the wounded and dying were most affecting. There was no surgeon. French robbed us of our animals, and left us destitute. Graves were dug and our departed comrades were rolled in their blankets, and buried side by side on the spot where their blood was shed.

We remained at this place three days, in consequence of not having animals to proceed. In the meantime, the Alcalde becoming alarmed at the company's proceedings, fearing lest they would take the town, sent a dispatch to Janos for a company of Mexican Lancers. A portion of these, when they arrived, he placed at the entrance of the town to prevent other parties from coming in until ours had departed.

At length, after much entreaty, together with the Alcalde's influence, I obtained again one of my animals. Some others of the party also obtained theirs. I packed my animal with as much as he was able to bear; the remainder of my property I was obliged to carry myself. With this burden I traveled all day, the distance of 25 miles to Janos, where I was so fortunate as to obtain a horse. We now proceeded on our journey to Santa Cruz, a distance of 200 miles, arriving there just late enough to escape trouble, as 300 Apaches had just left after committing depredations of every savage nature upon the place and its inhabitants, shooting some of the males and taking some of the females prisoners. They also took away their horses, cattle, sheep, &c.

After leaving Santa Cruz and following Cook's route, we came to a deserted town named Tubac on the 19th of October, where we remained until Monday morning to recruit ourselves and our animals. On Monday we made a march of 30 miles to a watering place, where we encamped for the night. During our journey, being scantily supplied with water, we suf-

fered very much. I offered a dollar for a pint, but was unable to obtain it. On Tuesday morning we again started, and after traveling a few miles, I and two or three others had some difficulty with our animals in consequence of the packs becoming loose, and we were left some distance behind the company, when we met a large party of Pimo Indians, who kindly offered to conduct us to water, which offer we gladly accepted. After following them a long distance up a mountain, we at last came to a spring, where the Indians left us. We remained there until near night, cooking and eating our supper. The sun was about two hours high when we left and proceeded on our journey. Following the trail in our winding way we passed through a deep valley, and after traveling a short distance we came upon several trails leading in several directions. We followed the one which we thought the company in advance of us had taken, for two hours after dark, when we encamped for the night. I was apprehensive at this time that we might be on the wrong trail, as I had noticed what appeared to me a much larger one breaking off to the left.

The next morning, at dawn of day, I arose, and awakening one of my companions, we held a short consultation, when I concluded to take a short cut across the prairie and examine the trail between us and the mountain, which I had noticed the previous evening. So, shouldering my gun, I left my comrades with my animals and baggage, and directed my steps in a south-southeast direction. After walking about five miles I came upon the trail that I was in quest of, but found it was the wrong one, as the foot-marks on it were in an easterly direction. I then endeavored to retrace my steps, but after traveling two or three hours, I found I had lost my way. I instantly became so excited that I hardly knew what I was about. I began calling my companions' names at the top of my voice, hoping they would hear me, but in vain. I continued running in every direction, and calling till my throat was so sore that I could call no more; and then I discharged the load in my gun. I continued running all day, under the scorching rays of an almost vertical sun. About sunset I struck a trail, which I followed nearly all night, when I came to a deep hole in the bed of a river, which I examined for water. I descended to the bottom, though it was eight or nine feet deep. After digging in the quicksand with my hands for a while, I found water,

which I dipped up with my powder pouch, holding a half pint. I drank it full fourteen times, and thought it the sweetest water I had ever tasted. After quenching my thirst I lay down to rest, but my mind was laboring under such intense excitement that I was unable to sleep.

No. II.

In about two hours day began to dawn, when I arose, filled my gun barrel with water and continued following the trail. About noon I came to a Pimo Indian village. I asked for bread and was presented with a water-melon. I asked for corn, and he gave me two or three small ears, for which I gave a pair of stockings which I happened to have in my pockets. I related to the Indians, as well as I was able by signs, my troubles, and offered my coat, pants, shirt and boots, to any one that would go with me and look after my animals and baggage. But no one would go. I then agreed to give a mule in case we should find them. To this an Indian agreed, and taking his bows and arrows, a dozen small ears of corn and a gourd of water, he was equipped for the journey.

We started back on the same trail we came in on. Before proceeding far he told me I had better leave my gun, as it would be useless to me. He hid it in some bushes. We then marched forward till dark, when we came upon the water holes in the bed of the river. Here we ate the corn, and slept about two hours. Then we arose and followed the trail until daylight, when we came to the place where I supposed my animals might be near. We examined one trail after another till 2 o'clock, in vain. The Indian becoming tired and hungry, muttered and expressed his unwillingness to search any further. I told him to lend me his gourd and I would go up a mountain which he had pointed out to me, for water, and he might go home, while I remained until night searching for my animals. He then wanted four dollars for his trouble. I offered him two dollars, but he would not accept that sum. I being wholly in the savage's power, was obliged to give him what he asked. I had still one dollar remaining, and had only about a thousand miles to travel before I could reach the land of gold. The scoundrel would not lend me his gourd, but he would give it to

me for the dollar which I had left, or for my coat. I refused his generous offer, and went off, leaving him sitting on the ground in ill humor.

I then walked about three miles up the mountain for water, quenched my thirst, and taking off one of my boots, filled it to carry with me, and resumed the search. But in a short time my foot became wounded and sore, lamed by walking among the sharp rocks, showing prints of blood at every step. I bound it with my neck-kerchief, and searched in vain till night. Becoming discouraged I gave up the search, and hungry and faint, I once more started for the village. It was late in the night when I again came to the old water places, where I slept until daylight.

In the morning I started again, but before walking an hour was overtaken by my Indian guide, who came upon me like a mad dog, saying he had been searching all night until his moccasins were worn through, with nothing to eat. He wanted my other dollar. I refused to give it, and attempted to leave him —when springing upon me like a tiger, he laid hold of me and demanded the dollar. I begged of him not to take it, as it was all I had, and I wanted to buy bread with it. I told him I had nothing to eat, no clothes, no animals, was far from any white man, and had a long way to go. But my entreaties were all in vain. I again attempted to leave him, when he placed his bow and arrow in a position to shoot me, and I was obliged to give it up to him. He still appeared dissatisfied, and taking hold of me again took my neck-kerchief from my neck by force. After examining it, growling about the blood upon it and the holes worn through it, he tied it about his waist, and let me go.

The Indian then went towards the village, I keeping about twenty yards behind him. On coming to the bushes where my gun was hid, I found that it had been taken away. I said nothing until we came to the village; but when I asked him for it he only laughed at me. Several elderly Indians stood by looking at me, as if I had been a wild beast or a complete menagerie. To them I made complaint respecting the loss of my gun. After talking with each other for a long time, they finally brought it from a wigwam, broken. I offered to sell it to them for bread or penoles. No one seemed to care for it. I then offered it for my hat full of corn, but could not get it.

They would give me corn, penole or musquite bread, for my coat, pants or boots. But these I could not part with, owing to the severe cold and the snow. I examined my pockets for something to sell them for bread, but found they had been picked of everything—comb, glass, gloves, and several trinkets that I had. I then resorted to my pants, and taking out my purse to sell them, on examining it to show them the quality, I fortunately found ten gold dollars, which being so small I had hitherto overlooked. At the sight of these my heart leaped for joy, and I again felt rich. One of these I offered for my hat full of corn; but no, they would give it to me for my coat, and insisted upon it. Finding I still refused, they turned up their noses, and went off each one to his wigwam, leaving me standing like a sign-post, almost dead with hunger.

It was already four days since I had eaten anything except the few small ears of corn and the water melon before mentioned. I stood motionless for a while considering what to do. I saw no alternative but to direct my steps toward San Diego. But a distance of five hundred miles lay before me before I could expect to see the face of a white man or anything that pertained to civilization; and how was I to proceed with nothing to eat? Starvation stared me in the face. I stepped forward to a wigwam where I saw an Indian drying corn and offered a dollar for my hat full, but he refused. I then fell upon my knees to him, holding the hat in one hand and the dollar in the other, begging of him to give me corn, but he still refused. In this posture I remained for fifteen or twenty minutes, continuing my supplications and imploring his mercy. He at last filled my hat with the corn, and took the money, telling me to go on and in a little while I should come to another town where I could get much corn. I was not aware of another village being near or I should not have humbled myself as I did. Taking off my coat and turning the corn into one of the sleeves, I proceeded on my way, and after traveling about six miles, I came to South Pass about ten o'clock in the evening. I told the Indians of my loss, and described to them the place. I then prepared my supper of parched corn, and lay down on the ground to sleep, but could not, in consequence of the pow-wow that was kept up in a wigwam near me. I also suffered severely from the cold nights, having on nothing

but a cotton shirt and a thin pair of pants. My coat sleeves being occupied as corn sacks, I could only enjoy the skirts.

In the morning I arose, eat a handful of mashed corn, and endeavored to sell my gun. I exchanged it for a small blanket, thin enough to shake beans through, and gave my knife for a gourd to carry water in. I was kindly invited by an Indian, who was enjoying a dish of boiled squash, to breakfast with him. Sitting down near him, I laid down my coat and commenced eating, when the Indian took my coat and put it under him. Seeing his intention, I pushed the dish from me, and endeavored to get the coat. But he shoved back the dish and insisted upon having the coat. I told him no; I could not give my coat for a breakfast. Laying hold of it I pulled with all my might, expecting every moment to rend it in pieces, determined to have some of it. After struggling awhile I succeeded in getting it, and hurried away.

Feeling reluctant to leave without giving another search for my animals, I inquired of an Indian the trail they had followed, and went on it eight miles, when I came to another Indian village. I there related my story and while I was resting a little they proceeded in the search. I had not walked over two miles when an Indian came up in great haste, telling me I was on the wrong trail. Pointing towards a mountain some thirty miles off to the right, he said that it was towards that mountain that the white men had lately passed, and offered if I would give him my coat to take me to the right trail. Being by this time pretty well acquainted with the Indian character I knew he lied, only desiring to get me on the wrong trail that he might get the prize. I told him I wanted neither his assistance nor his company. He then wanted a dollar, still insisting that I should go with him. Leaving him and walking on I soon met about twenty Indians, some mounted and others on foot running and whooping apparently in great joy. I then had but little hope of recovering my property, as I mistrusted some of them were the same to whom I had explained my circumstances the evening previous at Santa Rosa. However, I continued following the trail until night came on, when I lay down to sleep.

During the night another Indian came up in great haste, telling me to go with him for water. I replied that I was tired and would not go. He then lay down near me.

In the morning I started and soon arrived at the watering

place, the Indian keeping with me. Here I rested, and having eaten a handful of corn, proceeded again. I had not gone far when the Indian abruptly asked me for a dollar. I told him I had none; and when he asked me where I was going, I told him I was hunting for my horse and mule. He said he would give me a horse for ten dollars. But after trying this and several other plans in vain, to find out whether I had any money about me, he said he would go no further with me unless I would give him my coat or shirt, and pointing in every direction, made signs of many trails and left me; and I was very glad of it. By this time, my water-gourd becoming empty, I began to be very thirsty. I still proceeded over the prairie under a scorching sun. When near night my eyes rested upon the spot where I had left my animals and baggage. Nothing was left but a string which I had used for tying my blankets, and the stake to which my animals had been tied. The grass, as far as their halters would reach, was plucked up, and the ground was pawed by the poor hungry creatures. The Indians' tracks were fresh and plainly to be seen, indicating that they had not long been gone.

I then directed my steps towards the mountain where a few days before I had obtained water. My fevered palate was already swelling in my throat with burning thirst. It was late in the evening when I came to the mountain. After searching some time in vain for the path to the water, I endeavored to climb the mountain where I was; but while climbing up a steep cliff I fell and cut my leg. Still wandering about in the dark, endeavoring to find the path, I struck a trail leading towards another mountain. This I followed for the distance of several miles without success, nearly dead for water. Then I commenced retracing my steps, and walked all night; but in the morning I found myself far from the watering place. Towards this I again turned, but it was near noon when I came to the foot of the mountain. Again I attempted to climb it, where I supposed the water might be found; but becoming weak and faint I fell, wholly unable to go further. Thus I lay nearly an hour, expecting every breath would be my last. A light refreshing breeze springing up, I began to revive, and with great exertion I succeeded in divesting myself of my boots and the little clothes I had on, in order that I might feel the air. After sufficiently recovering my strength to stand, I again

put on my clothes and crawled to the spot where I supposed the water to be. It was not the place I expected to find, but a ravine in the mountain about nine feet wide and fifty feet deep. At the head of this ravine I could see the water trickling down the rocks into a basin at the bottom. Rejoicing at this discovery, I crept down the sides of the mountain, and following up the ravine I drank my fill, and feasted on corn until near night, when with reluctance I left this beautiful fountain to search for the trail leading to the village. I walked two or three hours after dark, not finding it. So I lay down to sleep.

In the morning I directed my steps across the plain, toward a mountain, near which I knew a trail led to the village, which, when I found it, I again followed until I came to the water hole in the river bed. There I found some friendly Pimos, one of whom let me ride on his horse, behind him, for four or five miles, to rest myself; and so I reached another village which I had not before visited. Next morning I arrived at the other village, where I remained during the forenoon, in consequence of a heavy shower of rain. I obtained shelter in a wigwam. When the rain was over I proceeded five miles further, to the next village, which was the one I had first come to. It was four o'clock in the afternoon of Thursday, the 31st of October, when I left there, following the trail direct north, seventy-five miles.

No. III.

[Here there is an evident omission in the diary.]

One Indian was smoking tobacco through a piece of reed, blowing the smoke with all possible force through his nostrils upon the bare back of the sick Indian, at the same time pressing it with a cloth as if to smother the smoke upon his back to prevent its escape. He continued this process from one end of the body to the other for about fifteen minutes, when another Indian took his place, going through the same process. During this time all except the one engaged in smoking, were singing at the top of their voices a song to the tune I had heard at Santa Rosa. The performance was kept up all night. I could not sleep for the noise until daylight, when they all dispersed except two or three, who lay down to sleep. I then obtained a

few hours repose. I was very sleepy, having traveled day and night for the last seventy-five miles. When I awoke I started again, following Cook's wagon route five miles, when I came to another village. Here it commenced raining, and I got shelter in a wigwam, where I remained until next morning. I bought my hat full of mesquite bread, for which I gave my last gold dollar. Tying it in my coat, I proceeded through deep mud six miles to another village. Here I was conducted by an Indian to the "captain," and told that he was a kind-hearted man, and would assist me to anything I needed. At this news I was much pleased, but on coming to the chief's wigwam, I found a fool of a fellow sitting on the ground with some three or four others playing cards, who did not seem inclined even to speak to me. I asked for something to eat, and they gave me mesquite bread, of which I already had plenty. But although it was little better than saw-dust, my craving appetite compelled me to eat it. I waited for him to get through his game of cards, thinking that he might be induced to give me some provisions for my journey. In the meantime they handed me a package of papers or recommendations to read, that had been given to him by leaders or captains of companies who had passed. He felt very proud of them, although he could not read a word. One or two of them recommended him to Americans that should happen to pass through there, as a good interpreter and an accommodating fellow; while the rest made game of him, saying he was accommodating as long as he was well paid. After waiting about two hours, and becoming completely disgusted, I left and proceeded on my way towards San Diego, which was still 400 miles distant.

The weather now began to grow much colder, with occasionally a heavy fall of rain. The nights were extremely cold, with very hard frost. A lonely traveler, I would walk all day until dark, and then being very tired, would lie down and fall asleep. Perhaps in an hour I would wake up, shivering with cold. I would then rise, throw my coat over my shoulder, travel until I became warm and tired, and again lie down to sleep till I could endure the cold no longer. Again I would rise, and walk on; and in this way continue traveling day and night, suffering with cold and hunger.

My clothes consisted of a thin cotton shirt, and pair of

pants which had become so rotten and torn that I had to tie strings about my body and legs in several places to keep them together. In my coat I still used to carry my parched corn and musquite bread. Frequently at night when I lay down to sleep the prairie wolves would come prowling about me, and I would be obliged to get up and throw stones at them to drive them away.

It was about 12 o'clock, when becoming very thirsty I left the road to go to the river Gila for water, when passing through some bushes I suddenly came upon a drove of sheep. I was overjoyed at the sight, as I had been informed by some Indians at Moracopas that white men with a drove of sheep had lately passed that way. Concluding that I must be near their camp, I called out at the top of my voice, "Americans! Americans!" and continued calling, but received no answer. I went further towards the river, thinking the camp could not be far off, and continued calling as before, but in vain. I began to think the Indians had killed the owners of the sheep. I then lay down till morning. At daylight I arose, and after searching an hour in vain for the camp, drove the sheep to the road and continued on my way, driving the flock of sixty sheep before me. Having traveled about two hours I stopped, and after sawing on the throat of a sheep with a sort of knife about three inches long, that I had picked up, succeeded in killing it. I could not stop for a fire, and had no means of procuring one; but falling on my knees, I laid hold of the raw flesh about the neck with my teeth, like a dog, and satisfied my hunger to some extent before it had fairly done kicking. After tearing and pulling, not having a knife that I could cut with, I at last opened the carcass and tore out the entrails. I ate up the kidneys, and shouldering the carcass, took the heart and liver in my hand to eat as I walked along.

Continuing on my journey, I drove the rest before me. I was just eating the last of the heart when I came up to the camp of white men, and found that they were the owners of the sheep. They had three thousand, which they were driving to California, and were very thankful to me for bringing up the rest of the drove. They gave me good bread and meat, which I ate till I nearly killed myself, as I had been living fifteen days on very small quantities of parched corn. Then I gathered sheepskins and sewed them together, and made me a

comfortable covering. Mr. Devoe, the leader and owner of the sheep, gave me a good mule to ride as long as I chose to remain with him, and twenty dollars in gold, with plenty to eat. We lay still four days, to recruit the animals, this being the first grass they had found since leaving the Pimo Indian village.

We arrived at the Colorado, Monday, November 18th. On Tuesday, the 19th, with three or four others, I went to a deserted Indian rancho, and gathered a quantity of beans. It was eight miles from our camp. Five of Mr. Devoe's party getting tired of so much delay and slow traveling, and anxious to get through to the journey's end, were now preparing to leave the company and to go ahead. I purchased an old horse from a Mexican; one man gave me a pair of pants, another a shirt and another a bag to carry my provisions in. Mr. Devoe gave me a camp kettle, about thirty pounds of corn meal, and a sheep—two-thirds of which I gave to some of my party.

On the 22nd we left the ferry, traveled sixteen miles, and encamped at another place on the Colorado. Next day we drove sixteen miles more, to some wells. As a forty-five mile desert now lay before us, we started at 11 o'clock, but my horse broke his lariat and got away. The rest left me. I searched for my horse till daylight in rain. So leaving behind me my saddle, sheepskins, and other things, I started on the Sandy Desert with a pack of eight pounds weight on my back. This pack soon became an enormous weight. The sand being knee-deep, I had to rest every fifteen minutes. So I continued on until noon, when, becoming so fatigued that I could not lift my pack to my shoulder, I was obliged to throw away half of my corn meal, half my beans, half of my meat, all my parched corn, and musquite bread and a shirt. In the afternoon the wind blew almost a hurricane, driving the sand in my eyes, and almost blinding me. At times I was obliged to lie down and cover myself with my blanket to keep from suffocating. The whole road on the desert seemed almost covered with the carcasses of dead animals, the stench from which was terrible. Late in the evening I came to a camp of soldiers, bound for the Colorado. They gave me supper, and expressed astonishment at my pack. After resting two or three hours, I again started, and by morning arrived at another camp of soldiers, also bound for the Colorado. In a short time the rest of the

company came in that had left me on the other side of the desert. I must have passed them in the night. The Captain gave each of us two days' rations of hard bread and pork, and also to me, a letter to his family in San Diego.

Next morning I shouldered my pack, and marched, with the rest of the company, twenty miles to water. The next day we traveled thirty miles to water, and the day following twenty miles. Then we left the main road and took a trail over the mountain, twenty-two miles to Williams' ranch. In this valley we remained one day and two nights. The mountain tops were covered with snow, and it was so cold that we had to get up and walk about till morning in order to keep from freezing. Thence we followed a trail to a Mexican ranch, twenty miles; to Don McGillo's ranch, twelve miles; to the Mission, twelve miles; and to San Diego, six miles. I reached San Diego on Thursday, December 5th, seven months from the time I left home.

Chas. Cardinell.

DOCUMENTARY

We propose to begin, in this the initial number of our Quarterly, the publication of a series of documents relating to the conquest of California in 1846. Mr. H. H. Bancroft in his History of California presented a very thorough study of this period, but reproduced very few of the original documents on which the History was based, and some of the most important of these we propose to print.

The recently discovered papers of Lieutenant E. M. Kern, bought by Mr. Henry E. Huntington at an auction sale last year and known as the Fort Sutter Papers, consist largely of documents referring to the Bear Flag revolution. Mr. Charles Templeton Crocker has in his collection a number of papers formerly belonging to Rear Admiral Sloat, many of which also refer to this movement, and most of which have never been published.

The fourth document contained in this number is one of the original proclamations signed by William B. Ide at Sonoma, June 15, 1846. This document is now in the possession of Mr. Henry E. Huntington, and by his kind permission we are permitted to publish it, together with a facsimile reproduction. The rest of the papers printed in this number are from the Sloat manuscripts in the possession of Mr. Crocker, and from the Bancroft Library.

[Bear Flag Papers—60. Bancroft Library.]

We, the undersigned, members of the Republican party in California, having taken Gen. M. G. Vallejo, Lieut. Col. Victor Prudon and Capt. D. Salvidor Vallejo, as prisoners Plede ourselves that in so doing or in any other portion of our actions we will not disturb private property molest themselves their families or the citizens of the town of Zanoma or its vicinity our object alone being to prevnt their opposition to the ..... gners of the .....of the liberation

(Rest torn)

[This fragment, which formerly belonged to General Vallejo, is probably the first form in which this guaranty was written, but not proving entirely satisfactory, the signatures were torn off and it was replaced by the following.]

[Bear Flag Papers—19. Bancroft Library.]

We the undersigned having resolved to establish a government up on republican principles in connexion with others of our fellow citizens and having taken up arms to suport it we have taken three Mexican officers as prisoners, Gen. M. G. Vallejo, Lieut Col. Victor Prudon and capt D. Salvador Vallego, having formed and published to the world no regular plan of Government feel it our duty to say that it is not our intention to take or injure any person who is not found in opposition to the cause nor will we take or destroy the property of private individuals further than is necessary four our immediate support.

EZEKIEL MERRITT
R. SEMPLE
WILLIAM FALLON
SAMUEL KELSEY

[In Semple's handwriting.]

[Bear Flag Papers—61. Bancroft Library.]

Consta pr la presente qe habiendo sido sorprendido pr. una numerosa fuerza armada qe me tomo pricionero y á los gefes y oficiales que estaban de guarnicion en esta plaza de la qe se apoderó la expresada fuerza, habiendola encontrado absolutamte indefensa, tanto yo, como los Sres. oficiales qe subscriben comprometemos nuestra palabra de honor, de qe estando bajo las garantias de pricioneros de guerra, no tomaremos las armas ni a favór ni contra la repetida fuerza armada de quien hemos recibido la intimacion del momento y un escrito firmado qe garantiza nuestras vidas, familias é intereses, y las de todo el vecindario de esta jurisdiccion mientras no hagamos oposicion.

Sonoma, Junio 14 de 1846.

Vor. Prudon. M. G. Vallejo
Salvador Vallejo

[In handwriting of Salvador Vallejo.]

[Translation.]

The present witnesses that,—having been surprised by a numerous armed force which took me prisoner and the chiefs and officials who were in garrison in this place which the force alluded to took possession of, finding it absolutely undefended, I, together with the officials who subscribe their names, promise on our word of honor that being under the guaranties of prisoners of war we will not take arms either in favor of or against the armed force referred to, from whom we have received this moment an intimation and a signed writing which guarantees our lives, families and interests, and those of all

the inhabitants of this jurisdiction, as long as we do not make any opposition.

[From the original in Mr. Huntington's Library.]

A PROCLAMATION

To all persons, Citizens of Sonoma, requesting them to remain at peace, and to follow their rightful occupations without fear of Mollestation.

The Commander in Chief of the Troops assembled at the Fortress of Sonoma give his inviolable pledge to all persons in California not found under Arms that they shall not be disturbed in their persons, their property or social relations one to another by men under his command.

He also solemnly declares his object to be First, to defend himself and companions in Arms who were invited to this country by a promise of Lands on which to settle themselves and families who were also promised a "Republican Government," who, when having arrived in California were denied even the privilege of buying or renting Lands of their friends, who instead of being allowed to participate in or being protected by a "Republican Government" were oppressed by a "Military Despotism". who were even threatened, by "Proclamation" from the Chief Officer of the aforesaid Despotism, with extermination if they would not depart out of the Country; leaving all their property, their arms and beasts of burden, and thus deprived of the means of flight or defence. We were to be driven through deserts, inhabited by hostile Indians to certain destruction. To overthrow a "Government" which has seized upon the property of the Missions for its individual aggrandizement; which has ruined and shamefully oppressed the labouring people of California, by their enormous exactions on goods imported into this country; is the determined purpose of the brave men who are associated under his command.

He also solemnly declares his object in the Second place to be to invite all peaceable and good Citizens of California who are friendly to the maintenance of good order and equal rights (and I do hereby invite them to repair to my camp at Sonoma without delay) to assist us in establishing and perpetuating a

A Proclamation

To all persons, Citizens of Sonoma, requesting them to remain at peace, and to follow their rightful occupations without fear of Molestation.

The Commander in Chief of the Troops assembled at the Pueblo of Sonoma gives his inviolable pledge to all persons in California not found under Arms that they shall not be disturbed in their persons, their property or social relations one to another by men under his command.

He also solemnly declares his object to be first, to defend himself and companions in Arms who were invited to this country by a promise of Lands on which to settle themselves and families who were also promised a Republican Government, who, when having arrived in California were denied

Government" were oppressed by a "Military Des-
-potism" who were even threatened, by "Proclama-
-tion" from the Chief Officer of the aforesaid Des-
-potism, with extermination if they would not depart
out of the Country; leaving all their property, their
arms and beasts of burden, and thus deprived of
the means of flight or defence. They were to be driven
through deserts, inhabited by hostile Indians to
certain destruction. To overthrow a "Government"
which had seized upon the property of the Missions
for its individual aggrandizement; which has
ruined and shamefully oppressed the laboring
people of California, by their enormous exactions
on goods imported into this Country; is the deter-
-mined purpose of the brave men who are volun-
-teered under his command.

"Republican Government" which shall secure to all; civil and religious liberty; which shall detect and punish crime; which shall encourage industry virtue and literature; which shall leave unshackled by Fetters, Commerce, Agriculture, and Mechanism.

He further declares that he relies upon the rectitude of our intentions; the favor of Heaven and the bravery of those who are bound to, and associated with him, by the principle of self preservation; by the love of truth; and by the hatred of tyranny —for his hopes of success.

He further declares that he believes that a Government to be prosperous and happyfying in its tendency must oreginate with its people who are friendly to its existence. That its Citizens, are its Guardians, its Officers are its Servants, and its Glory their reward. Signed William B. Ide.

Head Quarters Sonoma
June 15th 1846

There seems to be some doubt as to just who was the head of the party which captured Sonoma on the morning of June 14. Ezekiel Merritt was the ostensible leader, but John Grigsby seems to have been the chief of the party, which for some reason or other he did not seem to care to command in person; so when he was actually elected captain after the capture and there was some dissention among the men, he declined to serve, and William B. Ide was chosen. At the time of this election there was evidently some radical difference of opinion, first, not only as to what was intended to be accomplished, but second and most important at the moment,—what was the next step to pursue?

There are a number of accounts of what took place, most of them written long afterwards, and most of them being more or less biased by afterwards conceived ideas as to the real object of the movement. In the afternoon of the 14th, Merritt, who was the original leader, Grigsby, who was probably the real leader, Semple, who was one of the most prominent men in the movement, and six or seven others, went to Fort Sutter with the prisoners. During the night of the 14th, or early morning of the 15th according to Ide himself, a proclamation was prepared. So far as known at the present time, only one copy of the original now is in existence. It is probable that a number were made, most likely written by various members

of the party, but presumably all signed by Ide. Several of these proclamations were copied at the time or shortly afterward, and the copies which now exist show various differences, chiefly in spelling, punctuation, and the use of capital letters, which differences may have arisen either in copying the first one by different people, or else in the copying afterwards of these first proclamations prepared at Sonoma. The copies as we know them appear with different dates—15th, 17th, and 18th. Just why some were dated the 17th and 18th is hard to tell, as they do not present any modification of sufficient importance to entitle them to be redated. The following copies are noted in Bancroft:

Larkin's Official Correspondence, II, 69-71—June 15:72—June 18.

Sawyer's Document Manuscripts, 49-51—June 15.

Oregon Spectator, July 14, 1846. (Printed). June 15.

San Francisco Alta, January 20, 1866. (Printed from one of the originals, at that time in the California Pioneers' Society.)

Other copies are as follows:

Sloat's Manuscripts, dated June 17, in Missroon's handwriting, and another dated June 18th.

Original sold in New York, American Art Galleries, December 6, 1921.

Biographical Sketch of William B. Ide, (printed) page 138.

An examination of these various copies discloses the fact that there are no differences between those dated June 15, except differences in spelling, punctuation, and the use of capital letters, with two exceptions: in the Sawyer copy the word "happyfying" is omitted in the last paragraph, leaving a space, and in the Larkin copy the word appears as "happy", with a comma after it; in the copy in the Spectator and the one which is in the Sawyer documents, the word "commander" is added after William B. Ide's signature. These differences, however, do not indicate any intentional change in the original document but have obviously occurred in transcribing copies from the originals which in themselves may have differed in these respects.

The copy in the Sloat manuscripts dated the 17th is the

same as the original, except that the word "not" has been omitted before the word "depart" in the third paragraph, obviously through negligence in copying.

In the Sloat manuscripts there are two copies of this proclamation dated June 18th, one attached to Guerrero's statement, published hereafter, and the other having at the bottom in a different handwriting "The flag used by the above named party, is white, red border,—large Star, and a grissly bear." This is a slightly different form of the proclamation, apparently rewritten with an attempt to improve the English. There is only one important change, and that is in the fourth paragraph, at the end, which reads as follows: "which shall secure to us all, civil and religious liberty, which shall encourage virtue and literature which leave unshackled by fetters. Agriculture Commerce and Mechanism." It is written in the first person after the first two paragraphs, and in the last paragraph the words "in its tendency" are omitted and "happy" is used for "happyfying."

In Ide's Biographical Sketch there is a copy of the proclamation which differs considerably from the original, indicating that Ide had made certain changes at the time he wrote his letter to Senator Wombaugh. Wombaugh was a member of the California senate which convened January 5, 1852, and it is therefore certain that the letter was written some time between that date and the time of Ide's death in December of the same year. The differences consist, principally, in the insertion of the word "religion" after "property" in the first clause, the use of the expression "our women and children" in place of "himself" in the second clause, the insertion in the third clause of these words, "by its treachery in the bestowment of public lands", and in the fifth clause of the words, "upon the wisdom and good sense of the people of California". None of these expressions occur in the original or in any of the copies which we have examined, and we are forced to the conclusion that Ide edited the document when he copied it for his statement made to Senator Wombaugh.

As a matter of interest, we insert herewith a copy of the one which was printed in the Alta California of January 20, 1866. This was certified to by L. L. Lull as being in Ide's own handwriting and with his proper signature. According to another printed certificate, signed by Manuel Castro, the procla-

mation had been sent to him and remained in his possession until some time not stated.

[Alta California, January 20, 1866.]

A PROCLAMATION

To all persons Citizens of Sonoma requesteng them to remain at peace and to follow their rightful Occupations without fear of Molestion.

The Commander in Chief of the Troops assembled at the Fortress of Sonoma gives his inviolable pledge to all persons in California not found under armes, that they shall not be disturbed in their persons their property or Social relations one to another by men under his comand.

He also solemnly declairs his object to be first To defend himself and company in armes who ware invited to this country by a promise of lands on which to settle themselves and families who were also promest a Republican Government who when having arived in California were denied even the privaledge of bying or renting lands of their friends, who insted of being allowed to participate in or being protected by a Republican Government were opprest by a Military Disposition who were even threatened by proclamation forom the Chief Officer of the aforesaid Dispotism with extermination if they would not depart out of ther country leaving all their property their arms and beasts of burden and thus deprived of the means of flight or defence, we ware to be driven through desarts inhabited by hostile Indians to certain destruction. To overthrow a Government which has seized upon the property of the Mission for its individual aggrandisement which has ruined and shamfully oppresed the people of California by their enormis exactions on goods imported into his country is the Determined propose of the brave men who are associated under his Comand.

He solomly declairs his object in the second plase to be to invite all peace and good citizens of California who are friendly to be maintainance of good order and equal writes (and I do hereby invite them to repair to my camp at Sonoma without delay) to asist us in establishing and perpetuating a Republic Government which shall secure to all civil and religious liberty which shall detect and punish crime encourag industry virtue

and literature which shall leave unshackled by Fetters Commerce argiculture and mechanism.

He further declairs that he relies upon the rectitude of our intentions, the favor Heaven and the bravery of those who are bound to and associated with him by the principle of self preservation by the love of truith and by the hatred of tyrany for his hopes of success.

He further declairs that he believes that a Government to be prosperous and happyfying in its tendency must orgenite with its people who are friendly to its existance its citizens are its guareans its officers and its servents and its glory their reward.

(Sined) WILLIAM B. IDE
Comder

Head Quarters Sonoma
June 15th 1846

[From Mr. Crocker's Sloat Manuscripts, with Bartlett's signature but in another handwriting.]

Statement of the interview between El Senor Don Jose de la Rosa, and Commander Jno. B. Montgomery Comr. U. S. Ship Portsmouth by Lieut. W. A. Bartlett U. S. N. Interpreter, by order of Commander Montgomery.

Don Jose de la Rosa on coming on board the Ship desired to inform Capt. Montgomery, that he brought information from Don Guadalupe Vallego Military Comnr. of Sonoma "which he desired to give the moment Capt. Montgomery could receive him.

On being received by Capt. Montgomery I was directed to act as interpreter when Senor de la Rosa proceeded to deliver his message, which I wrote as follows.

Don Guadalupe Vallejo desires to inform Capt. Montgomery of the proceedings which took place at Sonoma "Yesterday Morning. At 5 A. M. there arrived at Sonoma a party of about eighty men, as they said from the Sacramento, they at once took forcible possession of the place; and posted themselves in the Cuartel" then made prisoners of Genl. Vallejo, Capt. Don Salvador Vallejo, and Lieut Col. Don Victor Prudhome, all of whom are Officers of the Mexican Army.

Then a Mr. Merritt, who appeared to have the command, or exercise the authority with the party; handed the Genl. a Convention "demanding of him the surrender of all the arms and Government property in Sonoma and that the Officers above named should remain Prisoners in Sonoma," which place they should not leave.

The Genl. replied that he must surrender to the force in Arms, and did so surrender when the party demanded further, that all the above named Officers should go with them to their camp on the Sacramento River.

Genl. Vallego then requested them to show their authority or determination (abajo que plano) and as they said they were Americans he desired they should exhibit their authority from the Govt. of the U. S. They replied that they did not come under the authority of the U. S. but having seen a proclamation of Genl. Castro threatening to drive all foreigners out of the Country, they had taken up arms in self defence.

They then made prisoner of the Alcalde "and told him that if any person in the place or neighborhood attempted to notify other places of this act, or raise a force to oppose them, they would at once shoot the Officers they then held prisoners. The Alcalde was then set at Liberty, but told, if he did not present any opposition to them, he would also be shot.

Genl. Vallego desired to inform Capt. Montgomery of these facts; and to ask of him to use his authority or exert his influence to prevent the commission of acts of violence by this party, inasmuch: as they seemed to be without any effectual head or authority, to this end he hoped for an Officer to be sent to the place, or a letter that would have the effect of saving the helpless inhabitants from violence and anarchy.

Senor Don Jose de la Rosa was directed by Genl. Vallego (at 11 AM. yesterday) to come with this message, but could not leave untill 3 PM.

A few moments past 11 the party left a garrison of 25 Men at Sonoma protected by seven pieces of Cannon, the others with the Prisoners left for the Sacramento.

Reply of Commander Montgomery to the Message of Genl. Vallego.

Sir: You will say to Genl. Vallejo on my part that I at

once and entirely disavow this movement as having proceeded under any authority of the U. S. or myself, as the Agent of my Govt. in this country or on the this coast. It is a movement entirely local and with which I have nothing to do, nor can I in any way be induced to take part in the controversy which belongs entirely to the internal politics of California.

If they are Americans as they avow themselves they are beyond the jurisdiction of the laws and officers of the U. S., and must now take all the responsibilities of the position in which they have placed themselves, being answerable to the laws of Mexico and California.

I have now for the first time heard of this movement, and in making the most positive disavowal for myself and my Govt. having in anywise instigated or aided this, I also disavow the same on the part of Captain Freemont U. S. Topl. Engineers, now in the country for scientific purposes.

If my individual efforts can be at any time exercised to allay violence or prevent injury to innocent persons it shall be exerted, but not as an officer of the Govt. of the U. S. I cannot have anything to do with either party. They must take the responsibilities of their own acts. From what has already transpired, I think it clear, that no violence will be committed on any one who is not found with arms in their hands.

You will assure Genl. Don Guadalupe Vallejo of my sympathy in his difficulties, but I cannot possibly interfere in the local politics of California.

Senor de la Rosa then thanked Capt. Montgomery for his sentiments and sympathy stated that all was distinctly understood and translated and that he would place this statement in the hands of Don Guadalupe Vallejo at the earliest moment.

I hereby certify that the proceeding statement is a fair translation of the Message, and reply read to Captain Montgomery, and Senor de la Rosa.

(Signed) WASH.TON A. BARTLETT
Lieut.

U. S. Ship Portsmouth
Sausolito June 15th 1846.

Copy of Mr. William B. Ide's Letter

[From Mr. Crocker's Sloat Manuscripts, probably in Bartlett's handwriting.]

Sanoma, June 15th, 1846,
Our present Head Quarters

Dear Sir/

I beg leave to inform you by express, of a change in the Political affairs of Sanoma, and the Sacramento Valley; which has taken place within the last week. With the circumstances which led to this change, you are doubtless acquainted: viz, the hostility of the Spaniards to the American emigrants. About 40 days since a proclamation was issued by the Spaniards ordering all Foreigners to leave the country, and forbidding them to take any of their property with them, at the same time threatening them with extermination should they presume to remain in the Country. The immigration to the States was gone; the company for Oregon had left us. There was now no alternative but to die silently, and singly by the hands of our enemies or fly to meet the foe. Information had reached the upper end of Sacramento Valley (where I resided) that 200 Spaniards were on their way up the Valley for the purpose of destroying our wheat, burning our houses and driving off our cattle. Aroused by appearances so shocking, a very few of us resolved to meet our enemy (being encouraged by the known presence of Capt. Freemont's command in the Valley) and dispose of our difficulties in the best possible manner. The 200 Spaniards proved to be a band of horses (about 200) guarded by a Spanish Officer and 15 Men, being driven up the Valley as far as Capt. Sutters, thence across the River for the lower settlements for the declared and expressed purpose of being mounted by Soldiers and sent back to enforce said Proclamation. In self defence those few men (viz 12) seized the moment and pursued those horses, captured their guard and drove the horses to the neighborhood of Capt. Freemonts Camp. Still writhing under the dreadful necessity above alluded to we pursued our way both Night and Day adding to our number a few true hearts to the number 34 men, until the dawn of the morning of the 14th inst when we charged upon the Fortress of General Guadalupe Vallego, and captured 18 prisoners (among whom were 3 of the highest Officers in the Californian Govt. and all the Military Officers who reside in Sonoma (8 Field Pieces, 200 stand of arms, a great quantity of Cannon, Canister, and Grape Shot, and a little less than 100 lbs of

powder (quite too little to sustain us against an attack by the use of cannon). By the Articles of Capitulation it was contemplated we were to be provisioned by the generosity of our Captured Genl, while we can keep possession or while opposition renders possession necessary. By another arrangement of cannon and fieldpieces, we have strengthened our position and continue to hold it, under the authority of twenty four well armed men and (as we have good right to believe) the rule of the People. The Alcalde we discharged under a new appointment, the Soldiers were set at liberty, and the said Officers were escorted by ten armed men to an assylum under the generous protection of Capt. Freemont. This day we proclaim California a Republic, and our pledge of honor that private property shall be protected. With this, as we hear from various parts of the country, the Spaniards are not only satisfied but pleased. We are situated three or four miles North of the North end of the Bay, and are liable to be attacked by an enemy from beyond the bay but would repel any that should be made by the use of small arms. We have not Powder to work our Cannon, and therefore with our small force could not long resist the operation of cannon against us.

Destined as we are to certain destruction should we prove unsuccessful, we have the honor to be your Fellow Country Men, and whether we conquer or perish we are resolved to approve ourselves not unworthy the kindly regards of those who "Build to the honor and glory of the American Flag.

It is our object and earnest desire to embrace the first opportunity to unite our adopted and rescued country, to the country of our early home.

With every consideration of respect and by will of the People. I have the honor to be &c

WM. B. IDE.
Commander in Chief
at the Fortress of Sanoma

To/Commodore Stockton
of the U. S. Navy.

Answer to Mr. Ide

[From Mr. Crocker's Sloat Manuscripts, probably in Bartlett's handwriting.]

U. S. Ship Portsmouth
Sousalito Bay of San Francisco
June 16th 1846.

Sir

On the point of dispatching an officer to Sonoma to confer with you respecting the state of alarm and apprehension into which your sudden movement seems to have thrown the helpless people of Sonoma and the country around, your messenger Mr. Todd arrived and handed me your communication of yesterday addressed to Commodore Stocton but designed, as Mr. Todd said for me. The circumstances therein stated, which has led to the hasty organization of the Foriegn population of this part of California in opposition to the constituted authorities, had in part previously reached me through irregular channels not entirely to be relied on; and in respect to which I would only observe as a general rule without direct application or referance to the position in which you stand; that I hold it to be the privilege of all men everywhere, by such proper means as they possess, to counteract the sinister designs of treachery, and resist oppression in whatever form or manner they may be assailed by them, and that a right motive and a just cause, will be always characterized by a mild, tender, and humane regard, for the security of the happiness, proper interests, and privileges of others.

I am most happy Sir, to understand from Mr. Todd, that these (by proclamation) have been guaranteed to your prisoners and the defenceless people within your reach, and and I sincerely hope that whatever may be the future course of the popular government in which you are engaged that this policy may distinguish the conduct of your party as well as that that of your opposers.

Permit me Sir in response to your call for powder for the use of your party to say that I am here as a representative of a Government at peace, (as far as I know,) with Mexico and her province of California, having in charge the interests, & security of the commerce, and Citizens of the United States lawfully engaged in their peaceful pursuits, and have no right or authority to furnish munitions of war, or in any manner to

take sides with any political party, or even indirectly to identify myself, or official name, with any popular movement (whether of Foriegn or native residents) of the country, and thus Sir, must decline giving the required aid.

Lieut. Missroon the executive officer of the U. S. Ship Portsmouth under my command, who will hand you this, will explain more fully than the few moments allowed me to answere your letter will permit me to do.

I am Sir Your Obt
Servant
(Signed) JNO. B. MONTGOMERY
Commander

To
Willm. B. Ides Esqr.
Commanding the Fortress of Sonoma
Upper California.

Missroon's Mission

[From Mr. Crocker's Sloat Manuscripts, probably in Bartlett's handwriting.]

Copy of Order to Lieut Missroon

U. S. Ship Portsmouth
San Francisco June 15t. 1846.

Sir

By an especial Messenger sent to me by Don Guadalupe Vallejo, I am notified of the forcible occupation of the Town of Sonoma by a party of insurgents (foriegn residents) of the Country, among whom are said to be some persons from the U. States; and that General Don Guadalupe Vallejo with several other Mexican officers; have been sent Prisoners to the Sacramento—and threatened to be detained as hostages for the quiet Submission of the surrounding Country, leaving their families and other inoffensive persons in and about Sonoma in a state of painful agitation; through apprehensions of violence and cruel treatment from the insurgent party in charge of the town. In consequence of this state of things, General Vallejo has appealed to me, requesting the interposition of any authority or influence I may possess over the insurgents to prevent the perpetuation of any acts of violence on their part upon the defenceless people. I have in my reply to General Vallejo (by his messenger) stated my previous ignorance of the popular movement in question, distinctly & emphatically disavowed all

agency of the U. States Government or myself as her representative in producing it, and disclaimed all right or authority to interfere between the opposing parties, or in any way to identify my movements with theirs. But in Compliance with the urgent calls of humanity, I deem it my duty to use my friendly endeavors with the dominant party to secure (by the favor of God) for the defenceless people of Sonoma that Security of life property & privilege to which all are entitled.

In pursuance of these views Sir, you are directed to proceed in one of the Ships boats to Sonoma, and on your arrival there you will wait on the officer or person commanding the party having possession of the town, and as it is possible he is not fully aware of the extent & nature of the feelings produced in the minds of the population by this recent movement you will inform him of the State of apprehension & terror into which it seems to have thrown them & disclaiming all right or purpose on my part of interfereance between them & their actual opposers and without touching upon the merrits of their course farther than may not be avoided in course of conversation. Be pleased (in such terms as your own sense of propriety will dictate) respectfully to request from me that he will extend his protecting care over the defenceless families of their prisoners and other inoffencive persons of Sonoma, & exert his influence with others in order to secure to them the uninterupted enjoyment of their domestic & Social privileges.

You will afterwards wait on the Alcalde or presiding civil officer of Sonoma & inform him of what has been done (at the instence of Don Guadalupe Vallejo) communicating any Satisfactory assurances which you may have recieved from the insurgent chief, calculated to allay the general apprehension, after which when Sufficiently recruited you will return to this Ship and render me a written report.

To Lieut. I. S. Missroon
Executive officer
U. S. Ship Portsmouth

Respectfully I am Sir
Your Ob't Serv't.
(Signed) JNO. B. MONTGOMERY
Commander

Appendage to Mr. Missroon's Order

Dear Sir

As an appendage to the orders handed you last evening, I wish you to endeavor in as forcible a manner as possible, to

represent to the person or persons, of the insurgent party with whom you may confer at Sonoma; and to impress their minds with a sense of the advantages which will accrue to their cause (whatever its intrinsic merits may be) from pursuing a course of kind & benevolent treatment of Prisoners, as well as towards the defenceless inhabitants of the Country generally with whom they may have to do, and endeavor as far as propriety will permit to obtain a promise of kind & humane treatment towards General Vallejo & his companions in their possession as prisoners.

I am Sir Respectfully
Your Ob't. Serv't.

To (Signed) JNO. B. MONTGOMERY
Lieut. I. S. Missroon Commander.
U. S. Ship Portsmouth

Report of Lt. Missroon

U. S. Ship Portsmouth
San Francisco June 17t. 1846

Sir

In pursuance of your order of the 16t. Inst. to proceed to Sonoma, and to endeavor by all proper means in my power, to secure to the females and unoffending portion of the population of that District, some degree of Security for their persons and property during the occupancy of the place by certain Insurgents, chiefly foriegners.

I have the honor to report, in obedience to that order, that I left the Ship on the day of receiving your instructions, and reached the town about Sunset, where I found about 25 men under arms, and having Six or Seven pieces of Artillery, with Several hundred Stand of Arms, the whole party is only thirty five. I waited upon the Commanding officer Wm. B. Ide, and received from him both verbal & written assurances, of his intention to maintain order, & to respect both the persons & property of all persons residing within the limits of his Command, he also handed me a copy of a proclamation which he had issued on the day after his occupation of the town & which I herewith present to you marked A. in which you will observe that these promises of protection are set forth in explicit terms, and which I would remark to you seemed to me to have fully assured the inhabitants of their Safety, although Sonoma is

evidently under Martial law. By this proclamation you will also observe, that California is declared to be an Independent Republic—the insurgent party has hoisted a Flag with a white field, with a border or Stripe of red on its lower part, & having a Star & Bear upon it.

I informed the Commanding officer of the State of terror, into which his movement upon Sonoma had thrown the inhabitants in and about the Yerba Buena as directed by my instructions.

I then waited upon the Alcalde of the place, and informed him thro' my interpreter, that my visit was entirely of a peaceful Character, that it had been induced by a message which my Commander had recieved from the late Mexican Commander General Vallejo, now a prisoner in the hands of the insurgents, asking his (my Commanders) interfereance for the protection of females & unoffending inhabitants—that assurances of respect & protection were freely me by the Commanding officer of the party under arms, & that I explicitly made it known to him for the information of the Surrounding Country—That my Commander disclaimed any & all interference in the matter, other than what was directed by motives of humanity.

After these interviews, I then called upon the family of General Vallejo, and moderated their distress by the assurances of Safety for the General which I had received and informing them that the prisoners were held at hostages.

Having completed the object for which I went to Sonoma I left the place today with the thanks of both parties, about Meridian & reached the Ship about Sunset;

Before taking my departure, I deemed it best to reassure the Alcalde in order to prevent any necessity for future explanation, which is So apt to grow out of business transacted with Mexicans, especially through an interpreter—I therefore addressed the letter marked B. appending to it the written pledge which I had obtained from the Commander of the foriegners in possession of the Place, and I herewith hand you a copy of it. It only remains Sir for me to add, that so far as I could judge & observe the utmost harmony & good order prevailed in the Camp, & that I have every reason to believe, that the

pledges of kind treatment towards all who may fall into their hands will be faithfully observed.

Respectfully Sir
Your Ob't Serv't
(Signed) I. S. MISSROON
Ist. Lieut. U. S. S. Portsmouth

To
Commander
Jno B Montgomery
Commanding U. S. Ship Portsmouth
Bay of San Francisco.

[The document marked "A" is a copy of Ide's Proclamation dated June 17.]

B.

Sonoma June 17th 1846

Sir

As you were informed yesterday thro' my interpreter my visit to this place is of a strictly mediatorial character and was induced by the application of General Vallejo through his messenger, Senor Rosa, to Captain Montgomery requesting of him to adopt measures for the protection of the females & peaceable inhabitants of Sonoma.

I have the pleasure to assure you of the intention of the Foriegners, now in arms and occupying Sonoma, to respect the Persons of all individuals, and their property who do not take up arms against them, and I leave with you a Copy of the pledge which the Commander of the party has voluntarily given to me, with the view to the pacification of all Alarm.

Respectfully
Your Ob't Servant
Signed I. S. MISSROON
Lieut. U. S. Navy

To
The Alcalde of Sonoma

Pledge

I pledge myself that I will use my utmost exertion, to restrain and prevent the men in arms under my command, (all of whom present acknowledge my authority and approve of forbearance and humanity,) from perpetrating any violence, or in any manner molesting the peaceable inhabitants in person or

property of California while we continue in arms for the liberty of California.

(Signed) WM. B. IDE
Commander

Sonoma June 17th 1846.

Witness to the above Signature
I. S. MISSROON
Lieut. U. S. Navy
and Executive officer of the
U. S. Ship Portsmouth.

[From Larkin's Documents IV, 158. Bancroft Library.]

[Original.]

Vice Consulate Yer Buena
June 16th 1846

My Dear Sir,

This moment hearing of a courier about to start for Monterey I hasten to inform you of the receipt of your letter announcing the arrival of the Congress at the Islands on the 13t May—and of H. B. Mts. Ship Juno at Monterey. Within the last two or three days there has been a popular movement among the foreign residents of this country in the vicinity of the Sacramento—and Sonoma is now occupied by a company of the Insurgents commanded by Mr. William B. Ide an American from the U. States. The two Vallejo's and several other officers of note have been sent prisoners to the Sacramento, with every assurance of protection & humane treatment from their captors who profess to have been moved to this seeming act of violence only with a view to their own safety and by a proper regard to the success of their future operations (whatever they may be. I understand also from good authority (having been visited by couriers from both sides) that the strongest guaranties have been given by Proclamation—by the Insurgent's for the security of life, property & priviledge to the families of their prisoners—and to all other persons remaining quiet and inoffensive in their conduct throughout the Country—under denunciations of the severest punishment upon offenders in this respect—and also I am told that strict orders has been given to deal kindly & humanely with the prisoners in charge—this I have from a Mr. Todd the Messenger sent to me by Mr. Ide—the other Messenger alluded to was Don Jose de la Rosa—from Genl. Vallejo,

both of whom left me this morning in one of my boats for Sonoma. I am happy to find there is a probability of Commodore Stocktons arrival on the Coast very soon, and in accordance with the purpose I expressed before leaving Monterey—hope to leave here about the 25t Inst. for that port. We are all well onboard—Make my respectful salutations to Mrs. Larkin And believe me

Sir Your Obt Servt
JNO. B. MONTGOMERY
Commander

To
Thos. O. Larkin Esqr.
Consul of the U. States
at Monterey Calafornia
Written in haste—

[From Larkin's Documents IV, 160. Bancroft Library.]
[Original.]

Yerba buena June 17th 1846.

Sir

This is to inform you of what has taken place in Sonoma, it appears that on the 14th instant about forty men, said to be Americans, entered the town of Sonoma and took charge of the arsenal (if it may so be cald) a person by the name of Ide is in command, they have taken as prisoners Dn. G. Vallejo, S. Vallejo, V. Prudon, and J. P. Leese, it appears verry strange to me, that they should take Mr. Leese prisoner when he is known to be an American and a Friend, I Suppose that there is a something going on that we know nothing of, as Captain Montgomery has written you, I shall not say anything about what message he has received, and what answer he made, we are now in a critical situation, and if the Portsmouth was not here I am sure things would not go on as easy as they do, you must thinck it strange that you have not received this news from me sooner, but it is not my fault ever since the news came here I have been trying to get some one to take you a letter, but without success until my backaro returned here who takes a pass port from this place for Santa Cruz, so that he may not be waylaid weather I am Justifiable in sending you this courier I do not know, but if such news is not of enough account to send one, you will oblidge me by informing me, it is not my fault every one that I have tried to get, have refused, for, or in, fear of being prest by J. Castro, and made soldiers of,

I have agreed to pay the boy $30. and have allready paid him part, he will return by the way of Santa Cruze, unless you wish him to return direct, Mr. Gillispie left here a few days since with supplies for Captain Freemont and acording to what he said when he left ought to be back in three of four days, I was told to day that Dn. Jose Castro is at Santa Clara prepairing to go up the Sacramiento to put things to rights, it is a great pitty for the Mexican nation that they have not got some more such patriotic oficers as Captain Hinckley pretends to be, I caled on him yesterday as the request of Capt Montgomery to pay him a visit which Capt M. wished to make, in the course of conversation, he mentioned the Calafornians were fools if they did not emidiately take as many Americans, prisons, as were taken in sonoma by the Americans, and keep them until the others were given up, I then mentioned, that I thought that he would have some difficulty to find so many, real Americans in the place, he then answered that they might posible take me for one to commence with, and so on, Captain Montgomery, merely told, that he should be verry sorry to se any thing of the kind take place, for it would only be putting him to some trouble, the answer however was to the point and Captain H. haled in again, I realy wish that Captain Hinckleys ofice would be taken from him, he only does all the injury he can here, and is the greatest enemy that Americans have in this country, he is continually making disputes between those that arive here and the authorities, yesterday there was a Mr. Lasaros Everheart who applied to the Alcalde for a passport to Monterey and was refused, he emidiately caled on me to assist him in getting one, I caled on the Alcalde and he said that as he had come from Monterey without one that he might return without one and that at Sanches's farm there were men placed to se that no one passed, so he had better not attempt to go without one, he wishes you to get him one from Monterey so that he may return, I am sure that it is from Hinckleys advice that he was refused for I heard him say that he thought that he was one of the same gang at Sonoma about the knife you wrote, I send you one and wish you to accept of it, I have picked it out, and it is one I would carry myself no more at present, hoping to hear from you soon

I Remain Your Obt Servt
WM. A. LEIDESDORFF

T. O. Larkin Esqr.
U. S. Consul, Monterey

[From Departmental State Papers Tom. VII, pp. 58-9 Bancroft Library.]

[Copy.]

1846. Junio 16. Sta. Clara.

Comdte. gral Castro—Bando militar

Compañeros de armas: una legion de aventurs. de los Es. Us. del Norte, han sorprendido la frontera de Sonoma, llegando al estremo de tomar prisioneros á el Sor Comandte. Militar de aquel punto Coronel Dn. Mariano Guadalupe Vallejo, Tente. Cl. Dn. Victor Prudon, capitan Dn. Salvador Vallejo y Dn. Jacobo Pedro Leese Este atentado ha sido sin límites, faltando al derecho de gentes y á todos los pactos y principios establecidos.

Compañeros: esas armas qe soportais en vuestras manos á nombre de la nacion mejicana—á que tenemos el honor de pertenecer, son pa. defender á todo trance esos colores trigantes qe nos unen y qe por ellos han corrido torrentes de sangre; vuestro valor y patriotismo qe teneis ya acreditado no me dejan dudar qe con el mayor entusiasmo marcharémos á romper esa cadena apresora qe desea enlazarnos.

Soldados; la libertad, el decoro ó independa. y el honor, es uno de los vínculos con qe nos hallamos unidos y debemos defender, por cuyos principios se sacrificará vuestro gefe y amigo.

[Leaf inserted between leaves 60 and 61, written in pencil.]

Santa Clara. June 18. 1846.

"El Ciudadano José Castro, Tente. Coronel de Caballa. del Ejército Mexno. y Comandte Gen. into. del Depto. de Cals.

(Seal of the Comand. Gen. de la Alta Cal.)

Conciudadanos. La política rastrera de los agentes del Gobo. de los Ests. Uns. del Norte en este Depto., han preparado ya una porcion de aventureros que osadamente sin respetar el derecho de jentes, comienzan á invadirlo, apoderandose de la plaza de Sonoma soprendiendo en ella al comandte. militar de aquella frontera Coronel Dn. Mariano Guadalupe Vallejo, Tente Coronel Dn. Victor Prudon, Capitan Dn. Salvador Vallejo, y Dn. Jacobo Pedro Leese.

Compatriotas—La defensa de nuestra libertad, la religion

verdadera que han profesado nuestros padres, é independencia nos obligan á sacrificarnos antes de perder estos inestimables dones, desterrar de vuestros pechos toda idea mesquina de resentimientos, bolbed la cara, habrir los ojos, y ved esas familias, é inocentes hijos que desgraciadamente han caido en manos de nuestros enemigos, arrebatando de su ceno, á sus Padres, que pricioneros entre ellos nos llaman en su auxilio. Tiempo es todavia de formar una masa comun é inespugnable llena de justicia, no dudeis que la divina providencia nos dirigirá por el camino de la gloria, por el que no debeis vacilar que en este cuartel grāl con la pequeña guarnicion que lo forma, será el primero que se sacrifique vuestra conciudadano y amigo.

Cuartel grāl en Sta Clara—Junio 18 de 1846

JOSÉ CASTRO."

Dept. St. Pap. VII p 239.

[Note] The above is taken from an original bearing (apparently) Castro's signature; The writing seems to be in Francisco Arce's hand.

[Translation of the Above Two Proclamations.]

[The first we have made, and the second is taken from one in the Larkin Documents, Official Correspondence II, 70-71, as this appears to be the best of several which we have seen.]

Companions in arms: A legion of adventurers from the United States of the North have surprised the frontier of Sonoma, going to the extreme of taking prisoners the military commander of that post Colonel Don Mariano Guadalupe Vallejo, Lieutenant Col. Don Victor Prudon, Captain Don Salvador Vallejo and Don Jacob Pedro Leese. This outrage has been without limits, contrary to the rights of people and of all established pacts and principles.

Fellow Citizens: Those arms which you carry in your hands in the name of the Mexican nation, to which we have the honor to belong, are for defending in every extremity the colors of the three guaranties which unite us and for which have flowed torrents of blood: your valor and patriotism which already you have proved do not leave me to doubt that with the greatest enthusiasm we shall march to break this tightening chain which threatens to bind us.

Soldiers: Liberty, decorum, independence and honor, is one of the bonds with which we find ourselves united and which

we should defend, for which principles your chief and friend will sacrifice himself.

"The Citizen, Jose Castro, Lieutenant Colonel of Horse in the Mexican Army, and acting General Commandant of the Department of California.

"Fellow Citizens, the low policy of the Agents of the United States of the North, in this Department have got up a portion of adventurers, that boldly and without respecting the rights of men, have began to invade it, having taken possession of the Town of Sonoma, surprising the Military Commander of that frontier, Colonel Don Mariano Guadalupe Vallejo, Lieutenant Colonel, Don Victor Prudon, Captain, Don Salvador Vallejo, and Mr. Jacob Leese.

Fellow Countrymen, the defence of our liberty, the true religion professed by our Fathers, and our independence, obliges us to sacrifice ourselves rather than lose these inestimable blessings: banish from your hearts all low ideas of resentment, turn your faces, open your eyes, and behold those families & innocent children which have unfortunately fallen into the hands of our enemies: snatched from the bosom of their fathers, who are now prisoners amongst the foreigners & calling loudly on us for asssistance. It is yet time for us to form one solid mass which shall be impregnable, and full of justice, doubt not, but the Divine providence will dictate to us, the way to glory: and at the same time you ought not for one moment to doubt, that in this General Quarters, notwithstanding the smallness of the garrison of which it is composed, that the very first who sacrifices himself, will be your fellow Citizen and Friend.

Head Quarters, Santa Clara; June 17, 1846

(Signed) JOSÉ CASTRO.

And that this may reach the notice of all persons, I command that it be published & circulated, and fixed in the customary conspicuous places.

Monterey, June 22nd, 1846.

(Signed) J. S. ESCAMILLO, Alcalde.

AUCTION SALES OF CALIFORNIANA

The increasing interest in Californiana has been made very manifest during the past season by the appearance in the auction rooms of a number of highly important documents which have fetched very high prices.

The most important lot was that known as the Fort Sutter Papers, sold at the Anderson Galleries, New York, November 28, 1921, and bought for Mr. Henry E. Huntington at $8,450.00. Strictly speaking, these are not Fort Sutter documents, but the papers belonging to E. W. Kern, who was in command at Fort Sutter, first representing Fremont, and secondly, under the appointment of Commodore Stockton. The collection consists largely of letters addressed to Kern while in command at Fort Sutter, together with some payrolls, receipts, etc. A few important documents were also included, such as Commodore Sloat's manuscript proclamation on taking possession of California, July 7, a letter written by George McKinstry, Jr., dated San Diego,. December 23, 1851, and a number relating to the Donner party and the efforts for their relief.

In addition to the documents relating to California, some one hundred and twenty-two in number, are a few relating to Fremont's disastrous winter journey of 1848 and 1849, in which Kern's brother Benjamin lost his life, and a few of 1851 and later date of more interest to New Mexicans than to Californians.

It is rather a too formidable task to give here a full account of the contents of these thirty-nine volumes, containing over one hundred and fifty important documents, but relying upon Mr. Huntington's well-known generosity, we hope that we may be privileged to furnish the readers of the Quarterly in the near future with copies of the most important, many of which are certainly of great value.

The history of these documents is very obscure. It is obvious that they belonged to Lieutenant E. M. Kern, as with few exceptions they are all addressed to him or are connected with his office as commandant at Fort Sutter. According to Seymour Dunbar, who wrote the account for the sale, they were lost in the New Mexico mountains for an unknown period.

However, it is safe to assume that they were not lost for very long, and probably they were retained by Kern until his death. It is generally supposed that at one time they were in the possession of Mr. Gunther, a well-known Chicago collector. How they came into the hands of the New York dealer who sold them, we cannot say. Thinking to enhance the desirability of them, he employed Mr. Seymour Dunbar to write a description of their contents, and together with a list of the documents these remarks were printed by the De Vinne Press and elaborately bound with the documents in thirty-nine volumes, making a very ornamental collection. From the description as furnished by Mr. Dunbar, it appears that the most interesting of all the documents in the collection is the letter written by George McKinstry, Jr. to Kern from San Diego. In this, McKinstry, who had been very friendly with Kern while acting as clerk for Sutter, gives a brief account to date of the individuals who were known to them at the period when they were both at Fort Sutter.

The most important single document to be sold was an original proclamation by William B. Ide, dated Sonoma, June 15, 1846, sold by the American Art Association December 6, 1921, for $530.00—and also purchased by Mr. Huntington. As far as can be ascertained at present, this is the only known original of this proclamation, of which no doubt several were made and signed by Ide. At the time that Mr. Bancroft wrote he was unable to locate an original and was obliged to content himself with various contemporary copies which had been made. It is certain that Ide signed more than one of these proclamations, but just how many we have never been able to discover, nor is it known to whom they were all sent. It is generally stated that Robert Semple was the secretary of the Bear Flag Party, but this proclamation is not in his handwriting nor in that of Ide. As a matter of fact, it is extremely well written and only two words are misspelled. It is obvious that it was not written by any of the frontiersmen who were in a large majority in the party. In another part of the Quarterly will be found a reproduction of this proclamation taken from this copy now in Mr. Huntington's possession.

In the same sale there were two other documents sold, of some interest, namely, the parole signed by Vallejo, Prudon, Leese and Noriega, at Fort Sutter, and an original agreement of enlistment, at Fort Sutter, August 8, 1846, to serve three

months as dragoons, entered into by James Gregson, nine others including John A. Sutter, and twenty Indians.

While numbers of California books have been sold during the past season, nothing new has been discovered, but the rarer items have continued to bring high prices. At the sale of Dr. O'Brien's books, March 27 and 28, 1922, at the Anderson Galleries, the Leonard Narrative fetched $700.00, the highest price for which it has ever sold; the Palmer Journal, $250.00; the 1833 Pattie Narrative, $85.00; the Johnson and Winter Route Across The Rocky Mountains, Lafayette 1846, $590.00; and Ed. McGowan's Narrative, $87.50. Aside from these items the California books in the sale were of but little value.

At the same sale at which the Fort Sutter Papers were sold a large number of books of California interest appeared, and high prices were obtained. Marcus Benjamin's Sketch of John Bidwell, Washington 1907, sold for $81.00; Beschke's Dreadful Sufferings and Thrilling Adventures of an Overland Party of Emigrants to California, $130.00; Boucard's Travels of a Naturalist, privately printed in London in 1894, and containing an account of California in 1851, $67.50; the letters from California which appeared in the "Friend" in Honolulu in 1846, and issued with a special title page, $72.50; Clarke's Travels in Mexico, Arizona and California, Boston 1852, $85.00; Johnston's Experiences of a Forty-Niner, privately printed in Pittsburgh, 1892, $106.00,—probably the same copy as sold in the O'Brien sale, where it brought $150.00. This sale, which was made up of books belonging to a well-known New York dealer, was notable for the extremely high prices obtained for books which cannot even be classed as scarce. As an instance we quote Canfield's Diary of a Forty-Niner, the original edition, which brought $82.00, and De Witt's Life of Joaquin Murieta, the 1888 edition, which brought $31.00.

At the sale at the Art Association, March 27, 1922, two broadsides hitherto unknown appeared, both printed in Sonora during the anti-foreign agitation there in July 1850. The first is an appeal written by the editor of the Sonora Herald, probably J. B. Marvin, counselling moderation, and which appeared, together with some advertisements to fill up the page, July 20. The mass meeting took place the following day, the 21st, and the resolutions adopted were printed separately in broadside form in both Spanish and English some time the following

week. A copy in English appeared in this sale and brought $130.00, while the "Triumph of Law," the one printed on July 20, brought $45.00.

At this same sale, what purported to be a complete set of Hutchings Magazine brought $260.00.

California prints have not been as much sought after during the past season as books and manuscripts, and but few noteworthy sales have been effected. A considerable number have appeared in auction rooms, including an especially fine collection at the American Art Association in March 1922. At this sale the well-known view of a stage on the California-Oregon route, with a view of Mt. Shasta in the background, sold for $230.00; but generally speaking, none of the other views brought anything more than very ordinary prices.

During the season a try-out was made of the San Francisco market by a sale February 4, which was stated in the foreword to contain no "junk." However, if it contained no junk it contained no item of any particular interest. Nevertheless the sale was well attended and the books brought very fair prices.

NEW CALIFORNIA BOOKS

History of the San Francisco Committee of Vigilance of 1851. A study of Social Control on the California Frontier in the days of the Gold Rush. By Mary Floyd Williams, Ph.D. Berkeley, Cal.: (University of California Press) 1921. In two volumes.

In the early days of San Francisco the conditions prevailing and the circumstances surrounding its development did not essentially differ from those of many other primitive western settlements. Governments were formed; courts, banks, churches, schools and similar institutions were established; sand hills were reduced and lands reclaimed; streets and wharves were constructed; commercial and mercantile operations were extended in all directons; some domestic life was assumed and society was gradually brought to some degree of unity.

The population itself was the most remarkable that has ever been assembled at one time. Much of it was transient and unsettled in character. It was pre-eminently a survival of the fittest, and as varied in its features as was the complexion of the coat of that ancient Semite who sometime governed Egypt. In it were men of many nationalities and of all vocations. Assimilation was not necessary as common purpose and interest had brought them together, and whatever may have been the individual ambition, they one and all possessed alike the same spirit. The equalities of social distinctions were easy and the lines were not too tightly strained.

In this singular flotsam and jetsam of shifting population, it is not strange that differences of opinion should have arisen, and less strange that they should have been upon the subject of public morals. Society had experienced a few rude shocks from the misguided efforts of certain gentlemen who were known by the somewhat undignified name of "Hounds." Their labors were not generally appreciated, and in 1851, when violence and outlawry had reached a climax, the reputable and substantial members of the populace organized the great popular tribunal, the "Vigilance Committee." Of its history there have been many fugitive and fragmentary accounts, but none have been systematic.

In her notable work "The History of the Vigilance Committee of 1851," Mary Floyd Williams has treated the subject with consummate ability and rare genius. Herself a Californian, and rich in her heritage of Californian antecedents and traditions, it is happily befitting that she should have undertaken this task.

The earlier of the two volumes in contents is entirely documentary. This great mass of official papers had lain dormant and intact for many years. With infinite patience Miss Williams has arranged them chronologically, edited them and added many footnotes of a most satisfactory character.

The second volume is properly the history of this organization gathered from all of the existing sources. Entirely original work, it is more than a history of the Vigilance Committee. It includes naturally, a history of the formation of society in San Francisco; the incoming population after the Conquest; the establishment of a legal government; the activities of the predatory members of the body politic; the corrupt

officials and the threatened collapse of the law; the organization of the Committee and the attention that it gave to villains in all vestments; its acts and their consequences. All of these are treated in logical clearness and with sane deduction. To the general history are appended several chapters devoted to the sequential of the work of the Committee and of its successors of 1856 and 1877. The author has thoughtfully included a bibliography of unusual character, and each volume contains an admirable index.

The literary style is excellent and the scope of English has more than usual latitude. While rigid in its historical proportions, the author has happily and successfully eliminated the painful aridity that dessicates many works of history, and the volume easily permits fluent reading. Moreover, Miss Williams has a keen sense of dramatic situations, and a very subtle humor which she has gracefully and humanely injected into her work. Some of the historical plots which she has graphically exposed might justifiably add new motifs to the sadly overworked plots of these days of crime and movies.

We have had among us always, the prototypes of the biblical characters of Ishmael and Thomas, and in time doubtless, both of them will bend their destructive and dubious energies to the undoing of this work. But the contention can be neither formidable nor convincing. But few modern books have added much to Californian history, and of that minute number this work is one of the best and most readable that has been offered for many years. As an abiding authority its definite permanence is even now securely established.

Robert Ernest Cowan.

Gold and Sunshine. Reminiscences of Early California. By Col. James J. Ayers. Boston: (Richard B. Badger), 1922.

Many books of this class are overburdened with generalities. In his work, Col. Ayers has rather deftly avoided them, and happily for that end he had several distinct advantages. He arrived in San Francisco on the Laura Ann, in the autumn of 1849, and his recollections are those of a mature man. He completed his book in 1896, and naturally his perspective in the

retrospect was much clearer twenty-five years ago, than it could be today were he with us. The writer was a journalist who in 1851 was one of the founders of the "Calaveras Chronicle." Later, in 1856, he was one of the company that established the San Francisco "Daily Morning Call," which journal still survives. His journalistic experiences elsewhere were wide and his training is evidenced in his book, as in it there is considerable "live news."

The Vigilance Committee, and the Broderick-Terry duel are the two great chapters of the fifties most favored by writers. Col. Ayers was in San Francisco during both of these events, but he has said but little about them, and doubtless such was his intention.

Of lesser known episodes of interest his accounts are more extended. He gives a graphic description of the Chilean aggression in Calaveras in 1849. This was the attempt of the Chileans to monopolize mining, having introduced peons for that purpose. Sanguinary difficulties ensued, and this narrative of Col. Ayers seems to be all that has appeared in print. An account of the establishment of the "Morning Call," is equally interesting.

In 1872, Col. Ayers settled in Los Angeles, where the last quarter-century of his life was passed. He was a well-known, influential, and highly respected character, and he gives us much that is new of the men, life, and events of the south. His death occurred in 1897. There are a few minor errors in the work, but for those who care for the early days of California, this volume cannot fail to hold real and unaffected interest.

Robert Ernest Cowan.

La société californienne de 1850, d'après Bret Harte. Paris, 1921. By Cécile Réau. Published by Ollier-Henry: for sale in San Francisco at The French Book Store.

History is not alone a record of events. The study of man in his social reactions is of the very fabric of history. From this wider point of view it can safely be said that one of the most interesting contributions to the history of early California

has recently been made by a French author, Mlle. Cécile Réau, in her La société californienne de 1850, d'après Bret Harte. It is fitting that students here should be aware that the theme and the treatment are of such importance that the University of Paris accepted the book in fulfillment of the requirements for the degree of doctor.

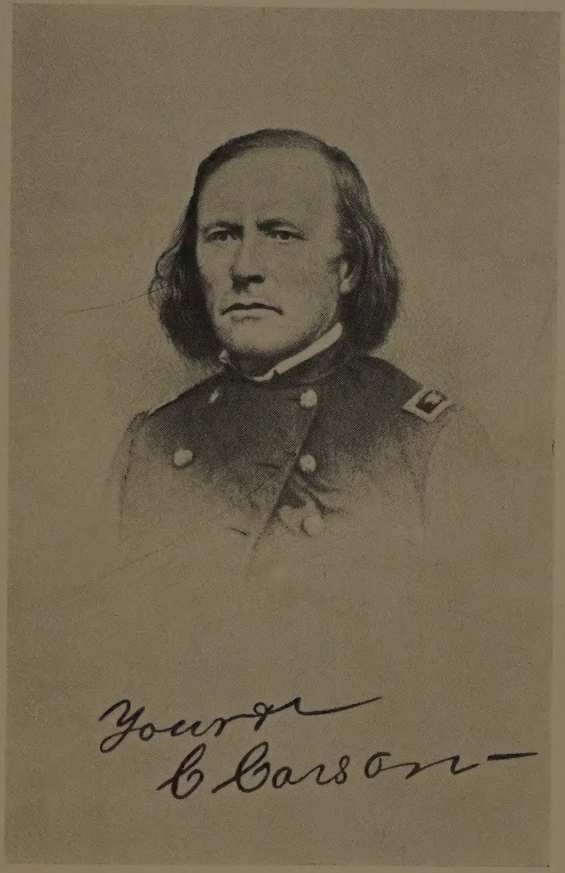
The author is a detached professor of the French Ministry of Public Instruction, and she came to California four years ago to fill appointments as teacher at the University of California and Mills College. Attracted by the romance and historical importance of the pioneer period, she looked for books which would best present the life of those stirring times. She found chronological narratives, guides to the mines, personal reminiscences, fragments of local history, but no definite study of the life of the mining regions in the decade of the fifties. So she read her Bret Harte anew, not for the emotional enjoyment of his pathos and humor, but for the ever recurring, sharp and vital pictures of the miners' habits of life and thought.

This book is the outgrowth of her study, and in it Dr. Réau reassembles many scattered allusions, according to their logical connection, and presents them in such chapters as "The Emigration to California; Miners' Camps; San Francisco; Heroes of Bret Harte; Wives and Daughters of the Pioneers; The Children of California; Foreigners, Spanish, Mexican, Indians, Chinese." She has scrutinized her author as the modern critic scrutinizes the classic epics, and reconstructs the life of a period from the pages of tale and poem. It was a daring test, for the final result braved comparison with other contemporary records of unquestioned reliability. Josiah Royce had reproached Harte for his "perverse romanticism"—if that reproach were justified, a composite picture constructed from Harte's many sketches would betray fundamental crudity and distortion.

But the composite picture constructed by Dr. Réau is not distorted. It is, of course, sharply contrasted in its light and shade, it has elements of caricature, elements of melodrama—it is the vision of a poet who saw men and women through his own medium of spiritual discernment. We may have doubted his historical accuracy when we acknowledged ourselves under the spell of his magic. In Dr. Réau's book that spell is broken, not by hostile incantations, but by well ordered methods of critical analysis. Yet Bret Harte's men and women still live,

kin to the men and women of less inspired writers, the children of a unique and heroic era. One may well hope that in due time this delightful and sympathetic study of California society will be made available to the many readers who cannot profit by the edition in French.

Mary F. Williams.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C Carson